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*Federal Victims of Crime Act
Grant Program*

PROGRAM MANUAL

Fiscal Year 1992

Victim and Witness Assistance Board

Commonwealth of Massachusetts

The Massachusetts Victim and Witness Assistance Board

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**Massachusetts Victim And Witness Assistance Board
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INTRODUCTION

The Massachusetts Office for Victim Assistance (MOVA), Executive Office of the Victim and Witness Assistance Board (hereinafter referred to as the Board), serves as a statewide resource for victim service providers. One of the primary goals of the agency is to promote the establishment of quality, comprehensive and coordinated services to victims of crime. In keeping with these goals, the Victim and Witness Assistance Board is the designated authority to administer Federal funds for victim services available through the Federal Victims of Crime Act of 1984 (VOCA). Please refer to Section 1 (A & B) for background information on the Victims of Crime Act.

The amount of Federal funding received for victim service programs varies from year to year and depends upon the level of federal assessments collected. The Commonwealth has received the following amounts from the Federal Crime Victims Fund:

\$ 972,000	Federal Fiscal Year 1986
\$ 718,000	Federal Fiscal Year 1987
\$ 807,000	Federal Fiscal Year 1988
\$ 980,000	Federal Fiscal Year 1989
\$ 1,482,000	Federal Fiscal Year 1990
\$ 1,494,000	Federal Fiscal Year 1991

For Federal Fiscal Year 1991 (Commonwealth Fiscal Year 1992), the Commonwealth will receive \$1,494,000, an increase of \$12,000 over last year. The Federal Crime Victims Fund reached its ceiling (\$125 million) for the second time since the fund was created. Additional monies were available for distribution this year due to previous overpayments to the compensation portion of the fund and because the federal government mistakenly applied Gramm-Rudman reductions to the Crime Victims Fund last year.

VOCA funding has supported a number of programs providing services to diverse victim populations; e.g., victims of domestic violence and their children, refugee victims of crime, sexual assault victims, communities which have experienced a crisis or trauma due to crime, victims of extreme trauma. An average of 26 programs have been funded each year. Currently (FY 91) there are 30 programs funded through VOCA. Programs to be funded in FY 92 will include, but are not limited to, services to victims of sexual assault, homicide survivors, victims of domestic violence, and physically and sexually abused children.

The Board previously approved most of the programs currently funded through VOCA for two years, through June 30, 1992. These programs, along with those that received a one year commitment through June 30, 1991, are required to submit a request for FY 92 renewal funding.

All information and materials necessary to request renewal funding are included in this *VOCA Program Manual* and in the *Request for Renewal Funding Kit*. Information on specific program requirements for operation of a VOCA grant program is also provided in these materials.

It is important that you **CAREFULLY** read this *Program Manual* and the *Request for Renewal Funding Kit* to familiarize yourself with all program, fiscal and renewal request requirements.

SECTION 1. POLICIES AND GUIDELINES

A. LEGISLATIVE HISTORY

In April of 1982, the President's Task Force on Victims of Crime was established to address the urgent needs of individuals and families who are victimized by crime every year. The Task Force recognized that victims of crime are often overlooked by the criminal justice system and often are not treated with the fairness, dignity and respect they deserve. In December of 1982, the Task Force made recommendations to restore balance and improve public confidence in the criminal justice system.

In response to the identified need for Federal leadership in this area, the Federal Office for Victims of Crime was established in 1983 within the Department of Justice as a focal point for victims issues. Collaboration between the Department of Justice and Congress, and lobbying by victims and victims rights groups resulted in passage of the Victims of Crime Act (VOCA) of 1984. This Act's intent was to support victim compensation and victim service programs in meeting the needs of crime victims.

The Act established a Crime Victims Fund in the U.S. Treasury that could receive criminal fines, forfeited bail bonds, penalty fees, and forfeited literary profits from Federal criminals. The fund was originally limited to \$100 million in collections, but was raised to \$125 million and will soon be increased to \$150 million (See explanation in following section). These funds are distributed to states to respond to the emotional, medical and financial needs of innocent crime victims.

In Massachusetts, the Victim and Witness Assistance Board administers the VOCA funds the state receives for victim services. The Attorney General's Victims Compensation and Assistance Division administers the funds received for victim compensation.

The Victims of Crime Act was reauthorized in 1988, as described below.

B. REAUTHORIZATION OF VOCA

The Victims of Crime Act was reauthorized in 1988. As a result of the reauthorization and changes in the law, the Federal Office for Victims of Crime issued revised guidelines which were published in May of 1989 (See Appendix A). The highlights of the VOCA reauthorization included:

- Increasing the cap on the Crime Victims Fund from \$110 Million to \$125 Million for the first three years (Federal FY 89 - 91) and to \$150 Million for the last three years (Federal FY 92 - 94). This was subsequently amended to increase the cap to \$150 million for collections in Federal FY 91, one year earlier than previously legislated.

- Establishing a new sunset date of 9/30/94 for the Victims of Crime Act.
- Requiring that (as of October 1990) victim compensation programs receiving Federal money must compensate residents who were victimized in other states that do not have compensation programs, and compensate both victims of domestic violence and driving while intoxicated or under the influence.
- Creating a fourth priority category of “previously underserved” victim populations, to be defined by individual states; this category is in addition to the previously identified priority categories of child abuse, sexual assault and domestic violence.
- Reducing matching fund requirements for subgrant recipients.
- Formally establishing the Federal Office for Victims of Crime under the Office of Justice Programs, U.S. Department of Justice, whose director must be confirmed by Congress.

C. ELIGIBILITY CRITERIA AND PROGRAM REQUIREMENTS

The following guidelines and requirements are those set by the Federal government and the Victim and Witness Assistance Board. The majority of the text of this section is taken verbatim from the Federal Guidelines, as revised in May of 1989. When necessary, state guidelines have been merged with Federal Guidelines in this manual. The Federal Guidelines (as they appear in the *Federal Register*) are included in Appendix A for your information. Most of the program requirements are explained in detail throughout this manual. The Federal guidelines provide the legislated minimum standards in the allocation of VOCA funds. The Board has the discretion to add to these guidelines, but cannot waive any Federal requirements. Additional guidelines imposed by the Board are included in this *VOCA Grant Program Manual*.

1. Eligible Programs

Crime victim assistance programs must meet the following requirements to be eligible for VOCA funding:

- Be operated by a public agency or a nonprofit organization*, or a combination thereof, that provides services to victims. Documentation must be provided to certify an agency or organization’s existence for a minimum of one year prior to applying for funds.
- Provide non-federal support for the VOCA victim service program* in the form of cash and/or in-kind contributions, the applicable proportion being dependent upon whether or not the agency has an existing victim service program.

Existing programs must have a record of providing effective services to victims of crime and financial support from other sources. In determining whether or not a program has a

“record of providing effective services”, the Board shall consider whether the program has been providing services to victims of crime for a minimum of one year (does not have to be funded by VOCA), has the support and approval of its services by the community, and whether or not an analysis of its activities and financial history show that it achieves its intended results in a cost-effective manner.

An existing program shall be considered to have “financial support from other (non-Federal) sources” if at least 20% of the grant program’s support (including cash and/or in-kind contributions) is from non-Federal sources or an appropriation.

New programs (those who cannot satisfy the requirements defined above for existing programs) may be eligible for funding if they demonstrate substantial financial support from other sources. “Substantial financial support” means that at least thirty-five (35%) of the VOCA program’s budget is in the form of cash or in-kind contributions from non-Federal sources or an appropriation.

c) *Unpaid/Volunteer victim service staff* must be utilized by a program unless compelling reasons exist to waive this requirement. A “compelling reason” may include a statutory or contractual provision which bars the use of unpaid/volunteer victim service staff for certain positions or a lack of persons volunteering after a sustained and aggressive effort has been conducted.

In meeting this requirement, utilization of unpaid/volunteer victim service staff must be in addition to that which was in place prior to the VOCA program’s implementation. Agencies must increase existing unpaid staff time or recruit unpaid staff to provide services to victims under the VOCA program. (This is of particular importance to agencies that are not currently VOCA grant recipients.)

Throughout this *Program Manual* and the *Application Kit*, the term unpaid/volunteer victim service staff will be used. The Board has decided to use this term because it more accurately reflects the types and level of services provided by some volunteers and interns; i.e., advocacy, counseling, etc.

d) *Coordinated public and private efforts* must be promoted by all programs to aid victims. Consideration will be given for the extent to which a program demonstrates that it will coordinate its activities with other service providers in the community, to ensure continuity of support of the victim and to avoid duplication of effort. In determining whether or not a program meets this requirement, the Board shall consider the extent to which the program demonstrates that it will coordinate its activities with other service providers in the community, including, but not limited to, the following: Federal and District Attorney Victim and Witness Assistance Coordinators, police department, courts, and other criminal justice personnel, and social service and community agencies. This is to ensure that, inasmuch as possible, the best interests of crime victims are served, services are not unnecessarily duplicated, and inter-agency communication is enhanced.

e) ***Programs must assist victims in seeking Crime Victims Compensation.*** Such assistance may be achieved by identifying and notifying potential recipients of the availability of compensation and assisting them with application forms and procedures. An eligible program must demonstrate that it will coordinate its activities with the Massachusetts Attorney General's Victims Compensation and Assistance Division and the District Attorneys' offices. Assistance can mean providing brochures, general information, etc. It does not necessarily mean having to assist clients with filing the actual claims.

2. Eligible Services

Crime victim assistance funds shall only be used to provide services to victims of crime. "Services to victims of crime" means those activities that benefit individual crime victims, including the required and necessary coordination of such activities, i.e. coordination of unpaid/volunteer victim service staff and/or coordination of services to the victim which must be provided by other community agencies (also known as the provision of collateral services).

Services to crime victims include, but are not limited to:

- a) ***Crisis intervention services*** that meet the urgent short-term emotional or physical needs of crime victims. Crisis intervention services programs are encouraged to coordinate the provision of 24 hour services which may include the operation of a crisis hotline that provides emergency counseling or referral for crime victims.
- b) ***Emergency services*** that provide temporary shelter for crime victims who cannot safely remain in their current lodgings; offer measures such as repair of locks or boarding up of windows to prevent the immediate re-burglarization of a home or an apartment; or provide crime victims petty cash for meeting immediate needs related to transportation, food, shelter, and other necessities.
- c) ***Support Services*** that include follow-up counseling following the initial traumatic event; reassurance, empathic listening, and guidance for resolving practical problems created by the victimization experience; acting on the victims behalf *vis-a-vis* other social service and criminal justice agencies; assistance in obtaining the swift return of property being kept by police as evidence; intervention, as appropriate, with landlords, creditors or employers; and referral to other sources of assistance as needed.

These services can include therapy, counseling, and group services. Therapy refers to specialized psychological or psychiatric treatment for individuals, couples and family members. Counseling refers to mental health services which provides support and guidance to victims.

- d) ***Legal Advocacy*** and court related services that assist victims in participating in criminal justice proceedings including transportation to court, child care, and escort services. It also refers to general advice, advocacy and assistance relating to the victim's

legal rights and remedies; assistance in filing temporary restraining orders, injunctive and other protective orders, and elder abuse or child abuse petitions. It does not include criminal prosecution or the employment of private attorneys.

3. Eligible Costs

a) **Direct Service Costs.** In developing programs for consideration for VOCA funding, it is crucial to keep in mind that the fundamental intention of the Federal legislation is to enhance and expand the services that are provided directly to victims of crime. Proposals will be reviewed specifically based on how the project proposes to provide direct services to crime victims.

It is the priority of the Board to fund primarily those costs associated with direct services (i.e., salary, fringe benefits, client related travel and beepers). As such, non-direct service costs exceeding 15% of the grant amount, community education, crime prevention services, lobbying, fundraising, perpetrator rehabilitation, needs assessments, and surveys, are all activities which are not eligible for VOCA funding under VOCA regulations. (Refer to Section 4 that follows for detailed information on ineligible costs.)

b) **Administrative and Indirect Costs.** The use of VOCA funds to cover administrative or indirect costs has been an issue to which the Board has given considerable attention since the grant program began. While some administrative costs may be necessary for the delivery of victim services, VOCA funds cannot be used for more general administrative functions.

The only administrative costs that will be allowed are those that are **directly** related to the delivery of victim services. The budget request section of the *Request for Renewal Funding Kit* includes a listing of administrative costs that may be included in the budget request. The inclusion of any other administrative costs will require a detailed justification as to their relationship to direct victim services. All administrative costs will be closely scrutinized.

Administrative costs must be specifically identified and justified in accordance with the instructions in the budget request section of the application. Each administrative cost must be line-itemized in the appropriate section.

In accordance with federal regulations, a fixed percentage for administrative overhead or an “indirect cost rate” for administrative expenses will not be allowed.

Non-direct service costs exceeding 15% of the grant amount are not eligible for VOCA funding.

Should you have any questions of whether an administrative cost will be allowed, consult with MOVA staff for clarification.

c) **Training.** The use of VOCA funds for training is limited. VOCA guidelines provide that training can be supported by victim assistance funds. However, it is intended that

such funds for training be used for training direct service providers to enhance their skills directly relating to the services they provide to crime victims. Specific limitations on the use of VOCA funds for training will be discussed in the Fiscal/Budget section (Section II(C)(3)(e)).

Agencies must clearly state how they propose to use VOCA funds for training. The use of VOCA funds for training will be dependent upon the specific request. All training expenditures must receive pre-approval from MOVA staff. As a rule, management training, general information sharing and national or out-of-state conferences are not allowable VOCA costs. Agencies should be as specific as possible about the training request in the request for renewal funding. It is recognized, however, that the actual training workshop names, dates, etc., may not be available at the time the renewal request is prepared. In these cases, agencies should specify the type of training to be obtained and its purpose in relation to the delivery of direct victim services.

VOCA funds cannot be used to train "related professionals" such as law enforcement, prosecutors, medical personnel, etc., to raise their consciousness of victim issues. However, VOCA projects are encouraged to coordinate with other professionals and provide information about available victim services and their specific project.

The allowability of a particular training activity will be determined on a case-by-case basis upon review by MOVA staff.

4. Ineligible Services or Costs

Project activities or costs that are unrelated, or only tangentially related, to the provision of direct services to victims are not eligible for VOCA funding.

Examples of ineligible projects or costs include:

- a) ***Community Education:*** General public awareness campaigns designed to raise the public's consciousness of victims issues do not qualify as direct services to crime victims and are ineligible for support with VOCA funds. The community education activities eligible to receive VOCA funds are limited to efforts describing direct services available and how to obtain a program's assistance, e.g., publication of brochure, pamphlets, etc.
- b) ***Crime prevention projects*** in which crime victims are not the sole or primary beneficiaries of funded activities. The crime prevention activities eligible to receive VOCA funds are limited to those prevention efforts specifically included in providing emergency assistance after a victimization incident such as services to prevent the immediate re-burglarization of a home or an apartment, e.g, boarding up of windows, replacement or repair of security locks, etc. Other more generalized crime prevention efforts are not allowable.
- c) ***Lobbying, Legislative, and Administrative Advocacy:*** Lobbying for particular victim legislation or administrative reform, whether conducted directly or indirectly, is another

activity that is ineligible for funding with VOCA victim assistance grant funds. Projects that are focused primarily on lobbying or raising public awareness concerning a particular issue or cause or programs that focus primarily on general community/state victim education programs do not qualify as "direct service to crime victims."

- d) ***Perpetrator counseling and/or rehabilitation*** is not a direct service to a victim of crime as intended by VOCA and is, therefore, not an eligible service or activity to be supported by victim assistance grant funds.
- e) The use of VOCA funds to conduct ***needs assessments, surveys, develop manuals and protocol***, or to perform general administrative tasks does not fall within the intent of the Act and is outside the scope of the guidelines.
- f) ***Fundraising*** is not an allowable expense.
- g) ***Equipment Purchases/Capital Expenditures***: VOCA victim assistance grant funds may only be used to provide direct services to victims of crime. However, equipment that is necessary and essential to the delivery of direct services is deemed an allowable cost. In such cases, purchasing and inventory requirements must be met.
- h) ***Professional Services of Doctors and Lawyers***: The payment of fees for professional services rendered by lawyers and doctors in most instances extend beyond the intent of the Federal Victims of Crime Act and are, therefore, ineligible for VOCA victim assistance funding. This provision, however, does not prohibit direct service programs from hiring as staff salaried medical/mental health professionals such as psychiatrists to provide services on site to clients. This differs significantly from a case by case fee-for-service type arrangement.
- i) ***Witness Management and Notification Programs***: Projects whose primary objectives are to improve the prosecutorial efficiency of a prosecutor's office and whose goals are primarily witness management and notification are identified as administrative in nature and are, therefore, ineligible for VOCA victim assistance grant funds.
- j) ***General criminal justice agency improvements*** or projects where crime victims are not the sole or primary beneficiaries are not eligible for VOCA funding.
- k) ***Insurance***: VOCA funds may not be used for the purchase of liability insurance policies, including professional liability insurance, and the repair of buildings and vehicles. While they may be necessary to agency operation and the provision of services to victims, the federal government considers these costs incidental and not necessary to the provision of direct services to victims as intended by VOCA. Therefore, VOCA grant funds may not be used for these purposes.

D. VICTIM POPULATIONS TO BE SERVED

The overall purpose of the VOCA legislation is the expansion and development of victim services. The intent of the VOCA legislation is to provide grants which will enhance and

expand services in existing victim service programs and create and support new victim service initiatives in local communities. Within this framework, the Federal government and the Victim and Witness Assistance Board have established priorities in funding programs with VOCA monies.

Federal guidelines require states to allocate a portion of their VOCA funds to eligible crime victim assistance programs providing assistance to victims of sexual assault, domestic violence (spousal abuse), child abuse and "previously underserved" victim populations, as defined by the Board. A program is considered a Federal priority program if the principle mission of the proposed project is to serve any one of these victim categories.

At least ten percent (10%) of Massachusetts' total FY 92 VOCA funds will be allocated to each of the priority areas, unless it is determined that a particular category is receiving significant amounts of financial assistance from other sources and that a smaller amount of financial assistance, or no assistance, for a category is needed. This allocation of funds to Federal priority categories does not prevent Massachusetts from distributing additional monies to agencies serving other victims of crime. In FY 91, the Commonwealth significantly exceeded the 10% minimum funding in most priority categories.

The following summarizes some of the priority categories and other victim populations eligible to receive services:

1. Federal Priority Victim Populations

- a) ***Child Abuse:*** These services should include treatment for children who are victims of physical or sexual abuse, and their non-offending parents and siblings. Examples of services may include play, individual and/or group therapy. Services may be provided through mental health or hospital based programs.
- b) ***Adult Sexual Assault:*** Services provided should assist victims in dealing with the trauma of sexual assault and its emotional aftermath. Services may include 24-hour crisis hotlines, crisis intervention, emergency services, legal advocacy, clinical evaluation and long and short term counseling. Services may be provided to the victim's family and significant others. Services can be designed to serve both male and female victims. These services may be provided to adult survivors of child sexual abuse or incest.
- c) ***Domestic Violence:*** Services to victims of domestic violence and their children may include 24-hour crisis hotlines, crisis intervention, emergency services, shelters or safehomes, long and short term counseling, information and referral, and legal advocacy in obtaining emergency restraining orders, injunctive or other protective orders.
- d) ***Homicide Survivors :*** This population has been defined by the Board as a "previously underserved" victim population. As such, the Board will be targeting a minimum of 10%

of the total allocation for services to this population. Services could be developed for family members and friends who are surviving the death of a loved one due to homicide or vehicular homicide. Intervention models may include, but are not limited to, counseling, advocacy, peer counseling, self-help groups, support services, etc.

Applicants in this category do not need to be affiliated with a larger facility, since peer support has often been deemed the most rewarding for homicide survivors. Budget requests may be modest, i.e., part-time facilitator, mailing costs or printing a brochure, since these costs are often necessary to ensure the stability of smaller programs. Other types of counseling programs for survivors may also seek funding in this category.

2. Other Victim Populations

Other victim populations which are not listed above include, but are not limited to, refugee victims, victims of hate crime, elder victims of abuse, victims of extreme trauma or catastrophic physical injury, physically or mentally impaired victims, gay and lesbian victims, and adolescent victims of crime. The victim population may also include communities which have experienced a crisis or trauma due to crime.

The types of actual services to be delivered is wholly dependent on the victim population and the kind of services known for promoting recovery and empowerment among the target population. Services may include, but are not limited to: crisis intervention; 24-hour crisis telephones; individual, group or family counseling; legal advocacy; support services; and self-help groups.

Agencies applying for funds, whatever their proposed victim population, should propose services which reflect the diverse social, linguistic, cultural/ethnic and racial composition of the target population. Services should be culturally appropriate and affirming of the background and values of the population(s) being served.

E. GRANT AWARD CRITERIA

The following criteria will be considered in awarding grants:

1. Funding Decisions and Awards

All funding decisions are based on the availability of funds, demonstrated need, strength of the agency's program proposal, and program performance and compliance. As noted in the introduction, the level of Federal VOCA funding for FY 92 is \$ 1,484,000. Funding will be awarded for Commonwealth FY 92 which runs for 12 months from July 1, 1991 to June 30, 1992.

For agencies that were approved for funding through June 30, 1992, the Board will renew the contract and approve funding levels if a program has satisfactorily complied

with all program and fiscal requirements, including the submission of a request for renewal funding.

Agencies are urged to apply only for the amount of funds that are absolutely necessary for the proposed project.

2. Competent Fiscal Management

Prospective subgrant recipients must have internal accounting and other control systems to provide reasonable assurance that it will/is managing the VOCA program in compliance with applicable laws, regulations and guidelines.

All agencies are required to submit a copy of their most recent audited financial statements. If it has not been provided under previous requests, agencies will be required to submit the documentation with the request for renewal funding. Failure to meet this requirement may affect eligibility for funding. Agencies must also certify that the organization has at least one month's cash flow to support a VOCA grant program, along with its current operations.

4. Direct vs. Non-direct Service Costs

No less than 85% of Federal funds requested may be used for direct services; i.e., salary, fringe benefits, client related travel and beepers. Non-direct service costs should not exceed 15% of the VOCA budget. New applicants may request necessary start-up or one time costs. If non-direct service costs exceed the 15% ceiling in such cases, a waiver must be requested. This waiver must be included in the budget request and specific one time costs must be identified and justified.

5. Matching Funds

Every agency has an obligation, under Federal guidelines, to secure matching funds for a VOCA grant. If your agency does not have an existing victim service program or component, it must support at least 35% of the total VOCA program costs with cash and/or in-kind match obligations during the first funding cycle. Agencies with an existing victim service program or component (does not have to be funded by VOCA) must support at least 20% of the total VOCA program costs with cash and/or in-kind match obligations.

Detailed information on match sources must be provided in the budget request section of the request for renewal funding or application. Agencies are cautioned not to obligate more than the minimum amount necessary to avoid "overmatching." Agencies should avoid overmatching so that any funds targeted for the VOCA supported victim service program which exceed the minimum requirement are not restricted by the Federal and Board program guidelines.

Additional information on match requirements and "overmatch" follow in the financial and contractual conditions section (Section 2 (B)(3)(h) and Section 3 (B)(3-6)).

F. PROGRAM DEVELOPMENT

1. Long Range Program Planning

It is essential that programs develop long range planning if resources are to be used in the most efficient and effective manner. Planning efforts should consider both the programmatic and financial aspects of a program. Agencies must consider how effectively they are providing services and meeting the needs of victims with current resources, and how the agency can address this issue in the future. It is also important that planning include other victim service providers in the area in order to strive for the delivery of comprehensive services and to avoid duplication of services.

2. Funding Alternatives

In general, VOCA funds are intended to expand and enhance victim services, rather than provide the primary support for a program. Alternative funding for victim services can be in the form of Federal or state grants, foundation awards, fund-raising, etc.

If you need assistance in identifying funding alternatives for your program, consult with MOVA staff.

SECTION 2. REQUEST FOR RENEWAL FUNDING PROCESS AND INSTRUCTIONS

A. REQUEST FOR RENEWAL FUNDING PROCESS

1. General Information

- a) The *Request for Renewal Funding Kit* include all forms necessary to apply for VOCA funds. Specific requirements, such as the narrative, program timetable and budget request are also detailed in those materials.
- b) All materials that are submitted must be typed, double spaced, and kept within the allotted page limits. Illegible material will be returned without consideration.
- c) The name of the agency and page number must be indicated on each page.
- d) The original (clearly labelled) and ten (10) copies of all requests for renewal funding materials must be submitted. The original copy should include the original signature by the agency's authorized signatory on all required documents such as the General Subgrant Award Conditions.
- e) Any materials previously submitted to the Board are not valid for consideration as part of the FY 92 request for renewal funds.
- f) All materials submitted by an agency become the property of the Board and are public information. Agencies must use caution and not include any information that might compromise confidentiality.
- g) Additional materials not requested by the Board are not necessary, and will not be considered as part of the request for renewal funding.
- h) It is recommended that agencies submit all required information at the time that the request for renewal funding is submitted to assure that all materials are considered in the review.
- i) The Board reserves the right to make or deny an award without clarification of the proposal received. Therefore, agencies are encouraged to submit proposals which are technically correct and self-explanatory. All requests for renewal funding should be prepared simply and economically, and should provide a straightforward and concise description of the proposed services and the agency's ability to meet the program requirements.
- j) Any questions regarding the request for renewal funding procedures should be directed to Karen Eckert, Federal Grant Manager, (617) 727-5200.

2. Technical Assistance

The staff of the Massachusetts Office for Victim Assistance (MOVA) are available to help those agencies requiring clarification or technical assistance in preparing the proposal. If you need either, please call the MOVA office at (617) 727-5200.

3. Application Review Process

All current VOCA grant programs will be required to submit a request for renewal funding. Agencies must submit the request for renewal funding in order for MOVA and the Board to assess how each agency has met its service goals and to establish an FY 92 grant award amount. All requirements are based are specified in the *Request for Renewal Funding Kit* and this *Program Manual*.

Each request for renewal funding will undergo an initial technical review of the proposal which will be conducted by MOVA staff. The purpose of the review will be to determine if an agency meets the minimum eligibility requirements, has adhered to the procedures outlined in this manual and the *Request for Renewal Funding Kit*, and has submitted all required materials. Agencies that do not technically comply with the minimum requirements of the request for renewal funding procedures will not be forwarded for further consideration. All agencies which have met minimum eligibility and technical requirements will also be reviewed by the Board.

Various factors will be considered in the review of renewal requests. The considerations addressed in this manual and the *Request for Renewal Funding Kit* will be the basis for the review. The primary factor in the analysis of requests for renewal funding will be the description of FY 91 and 92 victim services and the FY 92 Program Timetable.

The primary purpose of this review will be to determine if the project has implemented the established objectives and has complied with all reporting requirements (financial, statistical, etc.). Again, an agency that has not submitted an audited financial statement for its most recent audit period may jeopardize its eligibility for renewal funding

MOVA staff recommendations will be forwarded to the Board for review and final action.

4. Decision Letters and Awards

Agencies will be notified in writing of the decision by the Board regarding their request for renewal funding. Agencies are cautioned to make no assumptions about funding for their program until they receive written notification from MOVA regarding the Board's final action.

Those who are selected for funding will be given the opportunity to revise their budget or clarify programmatic issues. They will then be required to sign a service contract prior to the start-up of their VOCA project.

As the best interest of the Board may require, the Board reserves the right to reject any and all proposals or waive any minor irregularity or technicality in proposals received.

5. Appeals

Any agency that disputes the reasonableness, necessity or competitiveness of the terms and conditions of the guidelines, review process or awards shall file such an appeal or letter of concern with the Chair, Victim and Witness Assistance Board, 30 Winter Street, 11th Floor, Boston, MA 02108.

B. REQUEST FOR RENEWAL FUNDING REQUIREMENTS

The *Request for Renewal Funding Kit* requires that you submit specific information related to your program. It is important that you provide all of the information that is requested. Specific information and instructions can be found in the *Request for Renewal Funding Kit*.

Those agencies currently receiving VOCA funding will be required to provide information on their current VOCA program as well their plans for FY 92. The general requirements for requesting renewal funding are listed below. Specific requirements are included in the *Request for Renewal Funding Kit*.

1. Description of the Services Provided to Victims in FY 91 & 92

This section is the most important, as it serves as a description of the services you currently provide and those you plan to provide in FY 92. This is the section that is most scrutinized in proposal reviews because it is an indicator of whether or not a program is viable and addresses the needs of the victims and local community.

The type of information that will be requested is as follows: a summary of services the agency provided in FY 91, the agency's success in the implementation of the FY 91 goals and objectives, the impact of any program expansion on services to victims, program plans for FY 92 if different from FY 91, special activities or highlights of the VOCA funded program in FY 91, and the impact of the Commonwealth's fiscal crisis on your agency's ability to provide comprehensive services to victims.

2. Program Timetable

The timetable is a very important part of the request for renewal funding and must outline the FY 92 program objectives and activities, even if these activities are the same as in past years. The timetable should fully and accurately reflect VOCA grant activities for FY 92. The

Timetable becomes part of the service contract and serves as a description of the scope of work for the contract. It should include all activities, not just new activities.

When completing the program timetable, remember that a goal is a statement of what the program hopes to achieve. The objective is the means by which an agency will achieve its goal(s). A program may have one or several goals and one goal may have one or several objectives. Each objective will have several activities listed. The typical program will have 4 or 5 objectives; some programs will have more, some less. Each objective with its respective activities should appear on separate timetable forms. It is recommended that you separate objectives related to implementation and hiring, group services, and outreach from those related to individual or family counseling and advocacy. It is important that goals are not confused with objectives when completing the timetable.

Objectives must be stated in clear and measurable terms in the timetable; what services will be provided and what activities are necessary to successfully implement the objective; how many clients will be served; when the services will be provided or activities occur; and who is responsible for services or activities. See Appendix F of this manual for a sample and explanation of how the objective and activities can be stated. A sample of an agency's complete timetable is also included to illustrate the detail necessary.

The timetable should identify a realistic start-up date for any new activities and allow for an appropriate recruitment and hiring period. The timetable should reflect implementation activities and the provision of direct services to be accomplished through June 30, 1992. Three different timetable format options are included in the Appendix, but you may use a different format as long as it provides the necessary information. However, it is recommended that you use only one format throughout the timetable.

The use of a timetable is valuable to both the grant recipient and MOVA. It provides a tool by which the grant recipient can monitor itself on an ongoing basis with regard to implementing objectives and providing services. It can also provide MOVA with a basis upon which to monitor and evaluate programs.

Contact the Federal Grant Manager if you need assistance developing a Program Timetable.

3. Budget

This section provides basic information on completing the budget request. Additional information on fiscal requirements is provided in Section 3 (B). It is important that agencies review that section **carefully** prior to completing the budget.

All budget forms, including instructions, are included in the *Request for Renewal Funding Kit*. It is important that you read information in this manual on funding restrictions, in order that your agency's budget complies with regulations. All program expenses must fall within the six categories described below. The budget request includes detailed forms for each category and a budget request summary which includes the totals of all of the budget categories. The budget request also requires that agencies

provide additional information. Please read the general instructions and each page carefully to ensure that all required information is provided.

When completing the budget, all costs should be prorated. That is, all program costs may not require twelve months of funding and should be computed based on the number of months for which costs will actually be incurred by the program. This is particularly true of new programs which may take a few months to hire staff. For example, staff from a new program may not be hired until the second month of the program. Personnel costs for those staff should be computed on an eleven month basis. Likewise, travel costs may not be incurred for the full twelve months.

Included here is additional information on budget requirements and restrictions:

a) **Personnel:** When completing this section, include titles and names of individuals currently holding the position; the number of hours per week under VOCA and the FTE (Full Time Equivalent) based on the agency's work week (usually 35 or 40); the percentage of time that staff member works under the VOCA grant. This information is requested for all personnel hired or assigned under the VOCA program (specifically, only those salaries to be paid by the VOCA grant or to be used as a match). Remember, the salary must reflect the amount of time spent on the VOCA program. For example, if a staff member spends 60% of their time on the VOCA program and 40% of their time providing services through another agency program, the agency should only charge 60% of their salary and fringe benefits to the VOCA program budget. Also include unpaid/volunteer victim service positions when stipends and support costs incurred are normally paid for by the agency.

Any VOCA funded positions (newly hired) with an annual salary exceeding \$25,000 for one full time equivalent (1 FTE) must receive advance approval from MOVA. When this situation arises, you must submit the candidate's resume to the MOVA staff prior to filling the position.

Agencies must complete the fringe benefit/payroll tax page if VOCA monies are to fund any portion of these costs. Be sure to complete this section for each VOCA supported position. The types of insurance which are provided under the fringe benefits, such as medical, dental or life, must be specified at the bottom of the page. Again, fringe benefits should be prorated for employees who do not spend all of their time on the VOCA project.

Federal regulations prohibit the purchase of liability insurance with VOCA funds, including professional liability insurance.

b) **Consultants:** Agencies must include the name of the individual or organization to provide the service, a description of the services to be rendered and a breakdown of related expenses. This includes the hourly rate for the consultant and the duration of the services. In most cases, these costs are broken down into unit costs: the hourly rate, service provided and the number of hours purchased. In addition to the information in

the budget request, agencies must include justification to document the need for the services for the success of the project and why this service can only be obtained from an outside source.

Consultants must (1) have extensive experience and training in their field of expertise; (2) provide services for a limited specified period of time; and (3) provide a service which personnel in permanent positions ordinarily do not render or are not currently available to render.

Although it is understood that agencies may not complete a formal agreement with a consultant or an agency until after they have an approved proposal and have signed their contracts with MOVA, it is suggested that agencies obtain, in writing, informal agreements or memorandums of understanding from those with whom they expect to contract. For example, if a grant program proposes to utilize the services of a therapist for group therapy sessions, agencies should, inasmuch as possible, identify the therapist and the therapist's costs at the time the budget is developed. The program should also have discussed the services with the consultant prior to submitting the request for renewal funding and budget request.

Compensation for individual consultant services is to be reasonable. In addition to the time required for actual performance, time devoted to preparation, evaluation and travel must be taken into consideration when determining reasonable costs.

c) ***Office and Administrative Expenses:*** An agency may include expenditures incurred in connection with providing proposed services to crime victims, i.e., rent, postage, stationery, telephones, etc.

If an agency includes expenses for rent, it must certify in writing that the requested rental charge is consistent with the prevailing rate in the local area and shall submit this information with the budget. Agencies should also maintain the documentation in its file to support such a determination. Rental costs should be prorated according to the amount of space used by VOCA staff.

Reasonable expenses related to an audit must be listed in this category if the costs are to be covered by VOCA funds. More detailed information on audits is included in Section 3 (B) of this *Program Manual*. The audit must be conducted by a certified public accountant independent of the organization. If an audit is done for the entire agency, the portion to be paid by the VOCA grant should be prorated according to the level of funding provided by VOCA. Agencies requesting VOCA funds for an audit must complete the worksheet to help determine the actual costs related to the VOCA portion of the agency's audit. Audit expenses charged to VOCA must be reasonable.

d) ***Local Travel:*** Agencies may include necessary and reasonable travel expenses related to the proposed provision of services. In accordance with Commonwealth policy, the rate per mile shall not exceed 22 cents. All travel costs related to training should be

listed in the training line item. Out-of-state travel cannot be paid with VOCA funds. Client related travel costs can be counted as a direct service cost.

e) **Training:** All training paid by VOCA funds must be for the purpose of increasing the skills of direct victim service providers in delivering these services to victims. National and out-of-state conferences and general "information sharing" are not considered eligible training costs.

Allowable training costs are the necessary and reasonable expenses (i.e., registration, supplies, travel) related to staff participation in eligible training programs. Training and related travel costs are permitted only for training within the Commonwealth, except where attendance at a training session provided in a comparable geographic area, usually a bordering state, would be more cost effective.

f) **Other Costs:** The agency should include other necessary operating expenses which are not listed in the budget categories listed above. These costs must be reasonable and necessary to carry out the services being proposed. Agencies must provide detailed information on any costs included in this category. As example of costs that can be included in this category is emergency client expenses such as emergency taxis and food.

g) **Source of Income:** Source of income information is requested for the current year's funding (FY 91), as well as for the proposed program year (FY 92). This information should clearly separate federal, state, local and other private funding sources. For example, applicants should not combine Commonwealth Department of Social Services funds with the Federal Department of Health and Human Services, nor municipal money with United Way. Each source should be listed separately. You must indicate whether the income source is a VOCA cash match. This section should **not** include any in-kind match sources.

h) **Matching Share:** All agencies are required to provide non-federal support for the VOCA grant program with cash and/or in-kind contributions. This match must be spent exclusively on the victim assistance program for which the agency is seeking VOCA funding.

Information specific to the agency's matching share must be provided in the budget request. Agencies should supply as much detail as possible, particularly when the in-kind match involves other agency personnel; the services provided, the number of hours donated, and the hourly rate. Instructions for completing this section are provided on the forms.

The match requirement states that you must support a certain percentage of the total program costs, not just match a percentage of the VOCA funds requested. If you qualify for a 20% cash and/or in-kind match as an agency with an existing victim service component (does not need to be funded by VOCA), you divide the total amount of VOCA funds requested by four (4) to determine your match amount requirement. If you do not qualify as having an existing victim service component and must provide 35% of

the programs costs with a cash and/or in-kind match, you need to divide the total amount of VOCA funds requested by 1.85 to determine your match requirement.

For example, if you are an existing victim service agency and request \$20,000 in VOCA funds, you must provide \$5,000 (\$20,000 divided by 4) in match for a total program cost of \$25,000. \$5,000 is 20% (match requirement) of \$25,000 (Total VOCA program costs).

In-kind match is defined as any donated service that can be transposed into dollars. For example, if your agency/organization has unpaid/volunteer victim service staff who provide a wide-range of services, this can be used as an in-kind match by determining the dollar value of that unpaid/volunteer victim service staff and transposing that value into a salary amount (i.e., direct service provider, director, clerical support). Equipment that is donated to your agency/organization and utilized by VOCA program staff can also be used as in-kind match by determining the dollar value of that equipment. The services of staff, such as the bookkeeper may also be identified as an in-kind match as long as the dollar amount is prorated according to the time spent on the VOCA grant and consistent with their current salary. The hourly rates used in computing the match for unpaid/volunteer victim service and paid staff should be reasonable and reflect the level of services provided. For example, the estimated match value (hourly rate) for unpaid/volunteer staff who provide counseling would be higher than unpaid/volunteer staff who provide court accompaniment (not legal advocacy) or transportation assistance to clients.

All match sources must be identified and confirmed at the time the request for renewal funding is submitted. The agency/organization's match does not have to be received until the start-up of the grant.

Agencies must comply with all federal and state guidelines related to match. Matching funds must be from non-federal sources. Medicare or Medicaid reimbursements, NIMH grants, Department of Health and Human Services, etc., cannot be used as matching shares. Activities or staff supported by matching funds (in-kind and/or cash) are restricted to the same uses under the VOCA guidelines.

Many grant programs have identified cash and/or in-kind match amounts which significantly exceed the minimum requirement. As noted above, any matching funds for the VOCA program are restricted to the same uses under the VOCA program guidelines. It is suggested that subgrantees only provide match at the minimum levels required. In that way, state and federal requirements will apply only to the VOCA grant and the funds identified as match. Funds exceeding the minimum match will not be required to be accounted for under the VOCA contract. Should you choose to "overmatch," it is important that it be documented for audit purposes.

Additional information on match requirements is contained in Section 1 (E)(5) and Section 3 (B)(3-6).

When completing the budget section, please be sure that all of your figures are computed accurately.

4) Fiscal

a) *General Subgrant Conditions and Certification Forms*

General Subgrant Conditions and Certifications provided in the *Request for Renewal Funding Request Kit* must be signed to indicate that the agency will comply with several requirements. In order for a program to be approved for funding, the Certifications and General Subgrant Conditions must be signed by the appropriate individuals and submitted with the renewal request. The forms will be explained further in the contractual conditions section of this manual (Section 3), and most are self-explanatory.

Please contact MOVA staff should you have any questions regarding any of the requirements outlined in this *Program Manual* or the *Application Kit*.

b. *Audited Financial Statement*

All agencies are required to provide MOVA with copies of their audited financial statements from the most recent audit period. These audits are usually requested by MOVA in January. Contracts will not be awarded to agencies until the audited financial statements have been received.

c. *Certificate of Corporate Vote for Signatory Authorization*

In order for MOVA to verify that documents have been signed by the agency's authorized signatory, agency must also submit a certificate of corporate vote which officially designates the individual authorized to sign contracts and enter into agreements for the organization. This designation sometimes appears in the "master agreement" for state contracts.

SECTION 3. CONTRACTUAL CONDITIONS, OBLIGATIONS AND REQUIREMENTS

If an agency has been selected to receive a VOCA subgrant award, it will be notified of any additional requirements specific to the proposal program and contract. This will probably entail revisions of the budget request and program timetable submitted with the request for renewal funding. Once all of the issues have been resolved, agencies are required to sign a service contract. This contract may include special conditions which will appear on a special conditions page of the contract. The special conditions are those conditions which have been set by MOVA and agreed to by the grant recipient, where such conditions are not otherwise delineated in the service contract or General Subgrant Conditions.

Those agencies receiving a subgrant award will be sent a service contract approximately one month prior to the beginning of the grant cycle. It must be signed by both the subgrantee and MOVA prior to the release of any funds. You will receive verification of receipt of your signed contract and one signed copy will be returned to you for your files. Receipt of this signed copy will indicate that you are authorized to begin your approved program.

No subgrantee should begin operating a program without having been notified that they were selected for funding and having received a completed and signed copy of the service contract.

The information included in this section is to inform grant recipients of some of the standard contractual conditions and obligations, and requirements involved in operating as a VOCA subgrantee. This information is also being included as a reference section in this *Program Manual* for subgrantees, once their contracts are in effect.

The subgrantee shall be subject to and shall incorporate the conditions of the federal Victims of Crime Act (VOCA) and the Commonwealth's Victim and Witness Assistance Board as noted in this Section. When a form must be signed for any of the conditions described in this section, the specific form will be noted after the provision. The forms contain more detailed information on the requirements and should be read carefully. The forms must be signed at the time the request for renewal funding is submitted to provide the Board with assurances that agencies will comply with the conditions prior to approving a contract. Failure to sign the conditions may result in your renewal request not being considered. If you are unable to submit the signed forms with your renewal request for any reason, please provide an explanation of the situation with your request.

The subgrantee shall include provisions to implement these conditions in all contracts of employment, consultant agreements, subcontract or contracts issued under an approved service delivery plan and budget.

A. PROGRAMMATIC

1. Eligibility Certification

A subgrantee must certify and document that it is eligible under the requirements of the Victims of Crime Act of 1984, as amended, to receive funding. This certification states that the subgrantee is a public agency or non-profit organization that will utilize funds granted by the Board only to provide services to victims of crime. (General Subgrant Conditions and Certification — Attachment A)

2. Programmatic Requirements

The subgrantee must comply with all request for renewal funding requirements and applicable guidelines of the Victim and Witness Assistance Board and the Office of Justice Programs (OJP), U.S. Department of Justice. (General Subgrant Conditions and Certification — Attachment A)

3. Program Limitations

The subgrantee must utilize federal VOCA grant funds in accordance with Section 1404(b)(2) of the Federal Victims of Crime Act of 1984, as amended, only providing services to victims of crime. (General Subgrant Conditions and Certification — Attachment A)

4. Use of Unpaid/Volunteer Victim Service Staff

The subgrantee must utilize unpaid/volunteer victim service staff, unless a formal waiver has been submitted to and approved by MOVA. Unpaid/volunteer victim service staff should be utilized in a meaningful way; e.g., direct services, crisis intervention, advocacy, crisis line counseling, transportation assistance to clients, etc. There must be a **compelling** reason not to utilize unpaid/volunteer victim service staff. The request for a waiver must specify why unpaid/volunteers victim service staff cannot be used in the grant program. (General Subgrant Conditions and Certification — Attachment A)

5. Victims of Violent Crime Compensation

The subgrantee must assist victims in seeking available crime compensation benefits and coordinate its efforts with the Massachusetts Attorney General's Victims Compensation and Assistance Division and District Attorneys offices. Assistance is not limited to help with actually filing a claim. Assistance can include disseminating information to victims on their right to file for compensation such as providing brochures and making referrals. (General Subgrant Conditions and Certification — Attachment A)

6. Funding Source Statements

Subgrantees have an excellent opportunity to promote their programs and services provided with VOCA funding through press releases, program brochures, newspaper articles, statements, etc. Federal law requires that subgrantees clearly state the VOCA

program or project receives federal funding including: 1) the percentage of the total cost of the program or project which is financed with federal money; and 2) the dollar amount of federal funds for the project or program. Subgrantees must also specify the source of the funding — the Massachusetts Office for Victim Assistance or the Victim and Witness Assistance Board. MOVA staff are available to answer questions about or provide information to individuals, agencies and the media on the Victim of Crime Act victim assistance grant program and general victim issues. (General Subgrant and Conditions)

7. Program Start-Up

Programs that have not been previously funded by VOCA, or those programs without an existing victim service component, may not be operational when terms of the contract begin. As such, it is expected that programs may need time to recruit and hire necessary staff. However, if the program is not expending funds meaningfully within thirty (30) days and is not operational at least ninety (90) days into the grant cycle, MOVA will request that corrective steps be taken by the program. If the corrective steps are not satisfactorily implemented, the Board reserves the right to terminate the contract. In such cases, any funds received by the subgrantee must be returned to the Board.

It is strongly recommended that subgrantees contact MOVA staff at the earliest time possible when they are experiencing start-up problems so that MOVA staff can assist them and possibly prevent termination of the contract.

8. Service Delivery

Federal funds awarded under the subgrant shall be used only for the project set forth in the request for renewal funding, the service contract or in any amendment thereafter filed with and approved by the Board or MOVA staff.

In the course of negotiating the contract with the subgrantee, the Board may request modifications in service delivery and the budget. A subgrantee may be required to submit additional information for final approval. Special Conditions of the Service Contract may also be included. In either case, all modifications and approval must be in writing.

Both parties agree to renegotiate the contract if Federal and/or state revisions of any applicable laws, regulations or guidelines make changes in the service contract necessary.

9. Program Monitoring and Evaluation

The subgrantee shall cooperate with MOVA in monitoring the project. Monitoring activities include, but are not limited to, site visits by MOVA staff, progress reports on implementation of goals and objectives, and submission of financial records and statistical performance reports, as required by MOVA. It is anticipated that there will be at least one on-site visit during the course of the contract.

Each program will be evaluated at the end of the contract period. Terms of the contract, service delivery and program accomplishments will be evaluated. A satisfactory evaluation will be necessary to be eligible for continued funding.

10. Collection and Maintenance of Information

The subgrantee must agree to collect and maintain information on victim services, and to provide such information to the Board in accordance with guidelines set forth by the Board. (General Subgrant Conditions)

11. Statistical Reporting Requirements

The submission of quarterly statistical performance reports is required of all subgrantees. Appendix E of this *Program Manual* contains the report format that will be utilized in FY 92, along with instructions. Report forms and instructions will be provided to grantees after the close of each quarter. Reports must be submitted within the time frame established by MOVA. It is important that you complete the reports carefully. If you do not understand the forms or the instructions, or if you are unsure how a case should be reported, contact MOVA staff.

Statistics are to be reported on services provided only by the VOCA project by VOCA funded , match and unpaid/volunteer victim service staff

If you did not provide services during the reporting period, submit a memorandum or letter in lieu of the statistical report, explaining why you are unable to provide statistics. For example, a new program may not have statistics during the first quarter because they were not able to hire staff.

In addition to reporting statistics, the quarterly performance report also includes a section for program updates. This includes reporting changes in the delivery of services, staffing, or the overall administration of the VOCA project. In lieu of completing this form, you may submit a narrative which provides more detail on the information requested and other information you wish to provide on the program. You must submit resumes for all newly hired staff. It is important to include information on the positive aspects of your program, as well as the areas in which you are experiencing problems.

Agencies are also required to report information on waiting lists, third party billing, case consultation, emergency financial assistance, mandatory abuse reports, and Abuse Prevention Act petitions filed. There are specific sections for this information to be reported.

MOVA has developed a "VOCA Client Data Worksheet" to be completed for each client served. This form is designed to assist subgrantees in the collection of the data necessary to complete the Quarterly Statistical Performance Report. The use of client data worksheet is optional and is not to be submitted to MOVA.

(General Subgrant Conditions and Certification — Attachment E)

12. Confidentiality

Pursuant to Section 1407(d) of the Victims of Crime Act, as amended, identifiable research and statistical information gathered by the subgrantee pursuant to its application must be kept confidential and no such identifiable information shall be transferred to any person(s) other than the OJP, the Board or project staff, without prior written approval of the client, except those cases as mandated by law where criminal activity is alleged. (General Subgrant Conditions and Certification — Attachment F)

13. Hiring Approval

Approval must be obtained from MOVA when the proposed annual salary for newly hired staff is \$25,000 or more for one full time equivalent (1 FTE) position. Subgrantees must submit the candidate's resume to MOVA prior to filling the position. MOVA approval is not required to fill positions of less than \$25,000 or for those positions where the salary is now greater than \$25,000 and the position was previously approved in the subgrantee's initial budget, unless the service contract has been specifically conditioned to require such approval.

Qualifications for positions and hiring procedures must conform to those described in the project application and any approved amendments. A copy of every employment contract paid for by Federal VOCA funds must be filed with the Board. Resumes for all VOCA funded program staff must also be filed with the Board.

14. Discrimination

All programs receiving Federal VOCA funds are required to comply with Federal and State regulations and Board policy regarding discrimination. Subgrantees must certify that no person shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with, any activity receiving funds by the Victim and Witness Assistance Board on the basis of race, color, religion, national origin, sex, handicap, veteran status, sexual preference or age. Furthermore, no victim may be denied VOCA funded services due to inability to pay. The subgrantee must also certify the designation of an employee who will have the lead responsibility for ensuring the subgrantee's compliance with civil rights regulations. (General Subgrant Conditions and Certification — Attachments C and D)

The subgrantee must also agree to forward a copy of any findings of discrimination to the Board and the Office of Civil Rights Compliance of the Office of Justice Programs. (General Subgrant Conditions and Certification — Attachment D)

15. Civil Rights Compliance

All programs receiving VOCA funds are required to comply with civil rights laws and rules, as stipulated by the U.S. Department of Justice and Massachusetts General Laws.

The subgrantee must give assurances in consideration of and for the purpose of obtaining Federal grants, loans, contracts, property, discounts, or other Federal financial assistance to programs or activities receiving assistance.

The subgrantee must assure that it will comply with the following:

- a) Title VI of the Civil Rights Act of 1964, as amended, 42 USC 2000(d) et seq., which prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving or benefiting from Federal financial assistance.
- b) Section 504 of the Rehabilitation Act of 1973, as amended, 29 USC 794, which prohibits discrimination on the basis of handicap in programs and activities receiving or benefiting from Federal financial assistance.
- c) Title IX of the Education Amendments of 1972, as amended, 20 USC 1681 et seq., which prohibits discrimination on the basis of sex in education programs and activities receiving or benefiting from Federal financial assistance.
- d) The Age Discrimination Act of 1975, as amended, 42 USC 6101 et seq., which prohibits discrimination on the basis of age in programs or activities receiving or benefiting from Federal financial assistance.
- e) The Omnibus Budget Reconciliation Act of 1981, P.L. 97-35, which prohibits discrimination on the basis of sex and religion in programs and activities receiving or benefiting from Federal financial assistance.
- f) Title VII of the Civil Rights Act, as amended in 1964, which prohibits discrimination with respect to employment, compensation, and terms and conditions of employment on the basis of race, color, religion, sex or national origin.
- g) The Massachusetts Civil Rights Act of (MGL Chapter 12 Section 11(H), as amended) which prohibits a person or persons from interfering by threats, intimidation or coercion, or attempting to interfere by threats, intimidation or coercion, with the exercise or enjoyment by any other person or persons of rights secured by the constitution or laws of the United States, or of rights secured by the constitution of the Commonwealth.
- h) MGL Chapter 151(B) Sections 1-10, which prohibits discrimination because of race, color, religious creed, national origin, ancestry, sex or sexual orientation.
- i) MGL Chapter 272, Section 98(A), which prohibits discrimination in public accommodations based on race, color, religious creed, national origin, ancestry, sex, sexual orientation, deafness, blindness, or any physical or mental disability.

- j) All regulations, guidelines, and standards lawfully adopted under the above statutes.

The subgrantee must agree that compliance with this assurance constitutes a condition of continued receipt of or benefit from federal financial assistance, and that it is binding upon the subgrantee, its successors, transferees, and assignees, for the period during which such assistance is provided. The subgrantee must further assure that all contractors, subcontractors, assignees or others with whom arrangements are made to provide services or benefits to participants or employees in connection with any of its program and activities are not discriminating against those participants or employees in violation of the above statutes, regulations, guidelines, and standards. If the Board determines that a violation of this section exists, it reserves the right to terminate the contract.

In the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination, after a due process hearing, on the grounds of race, color, religion, national origin, sex, age, sexual orientation, handicap, or other non-merit factor, against that project, the project will forward a copy of the finding to the Board and to the Office of Justice Programs, U.S. Department of Justice, Office of Civil Rights Compliance (OCRC).

(Certification — Attachment C)

16. Assignment of Subcontract

The subgrantee shall neither assign the responsibility of the contract to another party, nor subcontract for any work contemplated under the contract without prior written approval of the Board. No such approval by the Board of any assignment or subcontract shall be deemed in any event or manner to provide for the incurrence of any obligation of the Board in addition to the total dollar amount agreed upon in the contract and final approved budget. All such assignments or subcontracts shall be subject to the conditions of this contract and to any conditions of approval that the Board shall deem necessary. As such, subcontractors must sign all General Subgrant Conditions and Certifications. Such assignments or subcontracts shall not, in any way, contravene or contradict Board, VOCA or Federal policies, rules, regulations or guidelines referenced herein. The subgrantee shall provide the Board with a signed copy of the General Subgrant Conditions and certifications signed by the subcontracted agency and the subcontract agreement immediately after it has been executed. (General Subgrant Conditions)

The subgrantees shall be responsible for the programmatic and fiscal performance of the subcontracted agency. It is the responsibility of the subgrantee to assure that subcontracted agency can safeguard the federal VOCA funds.

Subgrantees cannot enter into subcontracts prior to their service contract being fully executed. To avoid problems, it is essential that subgrantees work with potential subcontractors and develop agreements or memorandums of understanding well in

advance of the projected start-up date, preferably at the time of application. Problems can develop when agreements have not been reached or a potential subcontractor reneges at the last moment.

17. Drug-Free Workplace Requirements

Subgrantees must certify that it will provide a drug-free workplace. This includes publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the subgrantee's workplace, and specifying the actions that will be taken against employees for violation of such prohibition. The certification form outlines all other obligations under this requirement. (General Subgrant Conditions and Certification — Attachment H)

B. FINANCIAL

1. Allowable and Non-allowable Costs

Subgrantees may only utilize VOCA funds to provide direct services to victims of crime. Subgrantees are not allowed to use VOCA funds for services or costs that are not specifically related to the delivery of direct services. These costs may include salaries, fringe benefits, client-related travel, clinical supervision and telephones used by direct service staff for client-related matters. Eligible and ineligible costs and services are outlined in Section 1 (C)(2-4) and Section 2 (B)(3).

2. Non-supplantation

Federal funds awarded pursuant to the VOCA grant application will be used to supplement and not to supplant state or local funds otherwise available for crime victim assistance programs and, whenever possible, will be used to increase commitment of such state and local funds. For example, if a state agency currently funds a rape crisis center counselor, Federal VOCA funds may not be used in place of the state funds budgeted for this position. Another example is requesting funds for a supervisor who is currently paid full time to supervise agency staff. If that individual increases their hours to supervise VOCA staff, it could be claimed under VOCA. If there is no change in their duties or amount of time worked as a result of the VOCA project, it would be considered supplantation and would not be allowed. (General Subgrant Conditions and Certification Form — Attachment B)

3. Match Requirements

The subgrantee must comply with match requirements as stated in the federal and state guidelines. Matching funds must be from non-federal sources. Medicare or Medicaid reimbursements, NIMH grants, Department of Health and Human Services, etc., **cannot** be used as matching shares. (See #5 and that follows) Activities or staff supported by

matching funds (in-kind and/or cash) are restricted to the same uses under the VOCA guidelines. (General Subgrant Conditions and Certification — Attachment A)

The Victims of Crime Act requires that applicants who do not have an existing victim service program support 35% of the **total** VOCA program costs (VOCA request + match) with a cash and/or in-kind match. The Victims of Crime Act also requires that existing programs (does not have to be funded by VOCA) support 20% of the **total** VOCA program costs with a cash and/or in-kind match. This match must be spent exclusively on the victim assistance program for which the agency/organization is receiving federal assistance.

Please refer to Section 1 (E)(5) and Section 2 (B)(3)(h) for additional information on match requirements.

4. Overmatch

Many grant programs have identified cash and/or in-kind match amounts which significantly exceed the minimum requirement. As noted above, any matching funds committed to the VOCA program are restricted to the same uses under the federal VOCA program guidelines. It is suggested that subgrantees only provide match at the minimum levels required. In that way, federal restrictions will apply only to the funds identified as match and funds exceeding the match will not be subject to those restrictions and audit requirements. Should you choose to “overmatch,” it is important that it be documented for audit purposes. If an agency feels it is important to outline the total program costs, it is suggested that it be done as a separate document and not be included on the matching share page of the budget.

5. Third Party Payments

Medicaid and Medicare payments **cannot** be used as matching funds because they come from a federal source (see #3 above). However, Medicaid and Medicare payments may be considered income credits when you file your quarterly federal financial status report (Form H-1) if services were rendered by the VOCA program (VOCA paid and match staff) and third party income is credited to the VOCA project.

Other third party insurance payments can be used either as matching funds or income credits when services are rendered by the VOCA program (VOCA paid and match staff) and costs are credited to the VOCA project. While third party reimbursement may be collected by VOCA recipients, no victim may be denied services due to an inability to pay and no VOCA grant recipients may require co-payment from a client for services. This information should be reflected in the subgrantees fee for service policy.

Agencies should exercise caution when making projections about the amount of matching funds third party payments can generate.

6. Income Credits

Income credits are defined as any income generated by VOCA paid personnel and unpaid/volunteer staff used as match who are assigned to the VOCA supported program. This would include the following: third party income generated from VOCA clients receiving services from VOCA paid or unpaid/volunteer staff; direct payments received for services provided in whole or in part; any profits made from hosting trainings or seminars specifically sponsored by the VOCA program.

Income is to be credited for the time period in which services are delivered.

All income generated by VOCA paid and unpaid/volunteer personnel must be identified as income credits and is only to be applied toward offsetting VOCA related expenses. Income credits are to be verified by audit and are to be documented quarterly on the Federal Financial Status Report (H-1).

7. Submission of an Approved Budget

Adjustments are often made on budgets submitted with the request for renewal because the approved funding level is different from the level requested by the agency, and/or the agency included costs which are not allowable under VOCA. No funds will be made available to a project until an approved budget is on file with the Board. Failure to provide the Board with an approved budget may result in the delay of the start-up of your program. (General Subgrant Conditions)

8. Budget Revision

Subgrantees are permitted to make up to four line item revisions per year, involving a cumulative total of up to five percent (5%) of the total VOCA contract amount without obtaining prior approval from MOVA or the Board. If an agency makes more than four budget revisions per year, OR makes a revision which, when combined with any previous budget revisions involves five (5) or more percent of the total project budget, the revision requires prior approval from MOVA, and may require Board approval. (General Subgrant Conditions)

Generally, transferral of funds **within** a line-item category, e.g., supplies to postage within the Office and Administration category, does not constitute a line item change. However, any transferral within a line item that exceeds 5% of the total VOCA grant amount must receive prior approval.

All budget revisions, whether requiring prior approval or not, must be submitted to the MOVA in writing within ten (10) days after the revision is made.

9. Purchasing

Any materials or articles that are to be purchased to carry out the provisions of the contract will be purchased in accordance with Commonwealth and Federal regulations.

Equipment purchases are not generally allowed. Equipment purchased with VOCA funds must be necessary for the operation of the VOCA supported victim service program, and is subject to the acquisition and disposition guidelines established by the Office of Justice Programs (OJP), the Government Accounting Office (GAO), and any other pertinent guidelines and regulations.

If equipment is purchased through the VOCA contract, the subgrantee must maintain an inventory of the equipment for as long as the agency has a contract through VOCA.

10. Payment of Grant Funds

The Board's ability to disburse funds under the service contract agreement is contingent upon the availability of VOCA funds. Funds will be made available on the basis of the approved budget submitted to the Board by the subgrantee. (General Subgrant Conditions)

Grant funds will be disbursed on a reimbursement basis through the Massachusetts Management Accounting and Reporting System (MMARS), in accordance with procedures set forth by the Office of the Comptroller and subject to final audit verification. Payments may be adjusted to correct overpayments or underpayments and disallowances resulting from an audit.

Subgrantees are allowed to submit "Expenditure Reimbursement Vouchers" for no less than thirty (30) days. Subgrantees may choose monthly, quarterly or any other period of time that is convenient for submitting a request for payment. The vouchers must reflect actual VOCA expenses, which may differ somewhat from the approved budget. The reimbursement voucher is designed to assist you in tracking line item expenses, as they relate to your original/approved budget. A copy of this form is included in Appendix D.

Payments will be received from the Victim and Witness Assistance Board no later than 45 days after the receipt of a complete and accurate reimbursement voucher. Incomplete or inaccurate reimbursement vouchers or quarterly financial status reports (H-1's) may cause delays in payment.

In the event of non-compliance with conditions or requirements of the grant agreement, the disbursement of funds will be suspended.

11. Obligation and Expenditure of Funds

No funds may be obligated by the subgrantee after the end of the contract period and all obligated funds must be expended within ninety (90) days after the end of the project period. (General Subgrant Conditions)

12. Co-mingling of Funds

The accounting systems of all projects must ensure that VOCA funds are not co-mingled with funds from other agencies. In addition, programs are prohibited from co-mingling

funds on either a program-by-program basis or a project-by-project basis. Funds specifically budgeted and/or received for one project cannot be used to support another. A separate subsidiary journal should be maintained which recognizes VOCA income and expenses, including the non-federal matching funds (in-kind and/or cash).

Where a project's accounting system cannot comply with this requirement, it is recommended that the project establish a system to provide adequate fund accountability for each grant which it has been awarded. Subgrantees may contact the Chief Financial Officer at MOVA for assistance in determining whether or not an adequate financial system is in place.

13. Accounting Procedures

All subgrantees, contractors and other organizations under grants, contracts, cooperative agreements or purchase of service arrangements are required to establish and maintain accounting systems and financial records in compliance with Generally Accepted Accounting Principles (GAAP) to accurately account for funds awarded to them. These records shall include both Federal funds and all matching funds (in-kind and/or cash) from state, local and private sources.

The subgrantee must account for its federal grant funds, make quarterly financial reports on prescribed forms, and meet reasonable fiscal and administrative requirements. The subgrantee must also establish fiscal control and fund accounting procedures which meet minimum requirements of guidelines, manuals and Federal circulars, and assure proper disbursement of, and accounting for, grant funds. The subgrantee must document, and have in place, procedures which describe the manner in which, and by whom, all financial transactions are executed. Such accounting procedures must provide for an accurate and timely recording of receipt of funds by source, of expenditures made from such funds, and of unexpended balances.

Except where inconsistent with Federal requirements, state procedures and practices may be applied to funds disbursed by state agencies and local procedures and practices may be applied to funds disbursed by local governments. The subgrantee must also agree to make all financial reports available to the Board in order to meet reasonable monitoring and evaluation requirements.

It is the responsibility of the subgrantee to return all unexpended funds after completion of a grant. Failure to comply with this condition will result in the withholding of VOCA funds from active subgrants of the agency until the final report and all unexpended funds are received. If the subgrantee has no active subgrants, the Board will initiate legal action to recover the unexpended funds.

(General Subgrant Conditions)

14. Federal Financial Status Reports (H-1's)

Quarterly financial reports must be submitted within ten (10) days after the close of the quarter. Failure to comply with this condition will result in the withholding of subgrant funds until the delinquent report is received.

VOCA grantees must file their quarterly Federal Financial Status Reports on an H-1 form. Near the close of the quarter, status reports (H-1) will be sent to the subgrantee with specific instructions and deadlines. These reports will contain information from the subgrantee's previous H-1 reports. This is a "turn around" document. If there is a discrepancy between the agency's records and the information provided on the "turn around" document, the subgrantee must notify MOVA staff immediately. Appendix B contains instructions related to filing the H-1 form. If you have any questions about these reports, contact the Fiscal Grant Manager or the Chief Financial Officer.

Subgrantees are required to file their final H-1 Report 90 days after completion of the project period and are further required to return to the Board all unexpended funds within 30 days after filing the final report.

(General Subgrant Conditions)

15. Cash Flow

Subgrantees must provide reasonable assurance that it will/is managing Federal Victims of Crime Act funds in compliance with applicable laws and regulations. Subgrantees will need to certify that the organization has at least one month's cash flow to support a VOCA grant program, along with its current operations. (General Subgrant Conditions)

16. Inspection and Audit

Pursuant to the Office of Management and Budget (OMB) Circular A-110, Attachment F, Section 2H, Circular A-128, Attachment P, and Circular A-133, grantees and subgrantees have the responsibility to provide for an audit of their activities. These audits will be required annually. (General Subgrant Conditions)

Accounts and records of all subgrantees which disburse or utilize grant funds must be accessible to authorized officials for the purpose of audit and examination. These records are to be maintained at the site where the business of the organization is normally carried out. Contracts made by subgrantees must provide for audit of contractor's records pertaining to the use of subgrant funds. All required records shall be maintained for six (6) years after the end of the termination of the contract. If an audit has not been resolved at the end of six (6) years, the records shall be retained until resolution of the audit.

Audits must be made by an independent certified public accountant in accordance with

generally accepted government auditing standards covering financial compliance audits.

The following documents may be used as guidelines for audit issues:

- U.S. General Accounting Office, *Standards for Audit for Government Organizations, Programs, Activities and Functions*;
- U.S. General Accounting Office, *Guidelines for Financial and Compliance Audits of Federally Assisted Programs*;
- Office of Management and Budget (OMB), *Circular A-128, Audits of State and Local Government*;
- Office of Management and Budget (OMB), *Circular A-133, Audits of Institutions of Higher Education, Hospitals, and other Non-Profit Organizations*;
- Office of Management and Budget (OMB), *Circular A-110, Grants and Agreements with Institutions of Higher Education, Hospitals, and other Non-Profit Organizations*;
- Office of Justice Programs, *OJP Guidelines Manual, OJP M7100.1C, Financial and Administrative Guide for Grants*;
- Financial Accounting Standards Board — *Generally Accepted Accounting Principles (GAAP)*; and
- Any future mandates and publications from the U.S. Department of Justice.

All subgrantees are required to submit four "supplementary reports," along with their financial statements. Samples of these reports are included in Appendix C.

It is advisable for subgrantees to procure CPA audit services early in the grant period so that adequate plans are made and pitfalls avoided. Early planning for an audit can assist agencies in organization and operational planning. Appended is a copy of grant audit requirements as a further explanation of this requirement. (See Appendix C)

Reasonable audit costs are allowable in the VOCA grant budget. Agencies may include audit costs in the proposed budgets, however, the costs must be prorated based on the agency's total audit costs and the percentage of the agency's operating costs that are VOCA funds.

An organization submitting a certified audit shall be considered, for pre-qualification purposes, to be in sound financial condition if the auditor has rendered an unqualified opinion. If the auditor has issued a qualified opinion, a detailed statement identifying measures being taken to address such deficiencies and/or deficits, including a projected date for the achievement of sound financial condition, or an acceptable explanation of such deficiencies and/or deficits, must accompany the certified audit. This statement must be signed by the organization's authorized signatory. If a satisfactory statement of

remedial measures is not submitted as required, the agency's proposal will be automatically rejected, or continuation of current services may be jeopardized.

17. Financial and Internal Control Questionnaire

The subgrantee is required to submit a response to the "Financial and Internal Control Questionnaire" which addresses accounting systems, internal controls, financial statements and reporting and audits. Current grant recipients will be required to complete the questionnaire periodically. All new applicants must submit a completed questionnaire in order to be considered for funding. (General Subgrant Conditions)

18. Timesheets

Timesheets indicating arrival and departure times, total hours worked, and use of leave must be maintained for VOCA paid personnel and unpaid/volunteer staff used as match.

19. Certification of Tax Filings

The subgrantee is required to certify that it has filed all state and federal tax returns and paid all taxes required under law. (General Subgrant Conditions and Certification — Attachment G)

The subgrantee must provide the Board with a copy of the Attorney General's Division of Public Charities Report for the most recently concluded reporting year. This should also include Internal Revenue Service Form 990 and a copy of the organization's financial statements for the same period.

20. Debarment

Subgrantees must certify that neither its nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency. If the subgrantee is unable to certify such, they must attach an explanation to the certification. (General Subgrant Conditions and Certification — Attachment I)

C. GENERAL

1. Technical Assistance

Throughout the course of the renewal request period and the service contract, the Board shall make staff available for the purpose of providing technical assistance. However, the provision of technical assistance will be contingent upon the amount of staff and resources available. Therefore, it is in the agencies' best interest to request technical assistance well in advance of the request for renewal funding deadline date if the agency needs assistance in developing the renewal request, delivering services as specified in the contract, or complying with other Federal and state requirements.

2. Special Conditions

Where necessary, the Board may place special conditions upon a subgrantee when the conditions are not specified in the application or General Subgrant Conditions. These conditions may be due to changes in service delivery, as defined previously in the request for renewal funding. The special conditions will serve as a means for assuring that both the subgrantee and MOVA understand and are in agreement with any changes, and that expectations in service delivery are clarified. The special conditions will be included in the service contract.

Special Conditions may also be imposed by the Board when fiscal and programmatic deficiencies have been identified. These special conditions may be imposed at any time during the grant cycle and for any duration. (General Subgrant Conditions)

3. Notification of Change of Events

The subgrantee must promptly notify MOVA the Board in writing of events or proposed changes which may require an adjustment/notification such as a change in project site, changes which increase or decrease the total cost of the project, change in or temporary absence of the project staff; transfer of project; project name changes; and items needing prior approval. The subgrantee must also report such events in the quarterly statistical performance report. (See Section 3 (B)(8) for requirements related to notification of budget revisions.) (General Subgrant Conditions)

4. Funding Obligation

The Board's obligation to pay under this grant program is contingent upon receipt of a VOCA grant award from the U.S. Department of Justice.

5. Delays

The Board reserves the right to delay scheduled dates for VOCA applications and reviews. Any changes in the scheduled dates will be brought to the attention of those who have demonstrated an interest in applying for VOCA grant funds.

6. Governing Laws and Regulations

All subgrantees must agree to operate in accordance with the following:

- *Victims of Crime Act of 1984* (P.L. 98-473), as amended by the Children's Justice and Assistance Act of 1986 (P.L. 99-401), and as amended by the Anti-Drug Abuse Act of 1988, Title VII, Subtitle D (P.L. 100-690). The Victims of Crime Act is codified in 44 United States Code (USC) 10601, et seq.;
- U.S. Department of Justice, *Final Program Guidelines for the Victims of Crime Act Victims Assistance Grant Program*, Federal Register, Vol. 54, No. 95, May 18, 1989, pp. 21499 - 21508;

- Office of Justice Programs, *OJP Guideline Manual, OJP M7100. 1c, Financial and Administrative Guide for Grants*;
- Massachusetts General Laws and any other applicable regulations;
- Victim and Witness Assistance Board Policy;
- Victim and Witness Assistance Board, *VOCA Grant Program Manual*, March 1991.

7. Public Access

The subgrantee must allow public access to all documents, papers, letters, or other materials made or received by the provider in conjunction with the grant program. It is expressly understood that substantial evidence of the provider's refusal to comply with this provision shall constitute a breach of contract. This provision does not apply to confidential client records.

8. Effective Dates

The terms of the service contract shall begin July 1, 1991, or the date the contract is fully executed, whichever is later.

The terms of the service contract shall end on June 30, 1992.

9. Default

Failure to perform according to the contract shall be cause for the applicant agency to be found in default in which event, any and all reprourement costs may be charged against the subgrantee. Please note that this action will only be taken as at last resort. Whenever possible, and it is in the best interest of the Board, assistance will be provided to an agency to prevent such action.

10. Termination

Termination Because of Breach: Subgrantees will be given a written warning and a set number of days to correct an identified problem with contract compliance. If a subgrantee fails to take appropriate corrective action, the Board may, by written notice to the subgrantee, suspend or terminate the contract upon no less than 24 hours notice. The notice shall be delivered by certified mail, return receipt requested, or in person with proof of delivery. If applicable, the Board may employ default provisions.

The Board may waive, in writing, breach of any provision of a contract. Waiver of breach of any provision of the contract shall not be deemed to be a waiver of any other breach and shall not be construed to be a modification of the terms of the contract.

Termination Because of Lack of Funds: In the event funds to finance the contract become unavailable, the Board may terminate the contract upon no less than 24 hours notice in writing to the subgrantee. Such notice shall be delivered by certified mail,

return receipt requested, or in person with proof of delivery. The Board shall be the final authority as to the availability of funds.

11. Retention of Records

The subgrantee shall retain all financial records, supporting documents, statistical reports and other documents pertaining to the contract for a period of six (6) years after termination of the contract, or if an audit has not been resolved at the end of six (6) years, the records shall be retained until the resolution of the audit findings.

12. Criminal Penalties

Whoever knowingly and willfully falsifies, conceals, or covers up by trick, scheme, or device, any material fact in the request for renewal funding submitted pursuant to the Victims of Crime Act, or in any records required to be maintained pursuant to the Act shall be subject to prosecution.

Whoever embezzles, willfully misapplies, steals, or obtains by fraud or endeavors to embezzle, willfully misapply, steal, or obtain by fraud any funds, assets, or property which are the subject of a subgrant or contract or other form of assistance pursuant to the Victims of Crime Act, as amended, or whoever receives, conceals or retains such funds, assets, or property with intent to convert such funds, assets, or property to his/her use or gain, knowing that such funds, assets or property have been embezzled, willfully misapplied, stolen, or obtained by fraud, shall be subject to prosecution.

(General Subgrant Conditions)

CONCLUSION

VOCA funded community-based agencies continue to significantly contribute to victims being served in a timely, sensitive and comprehensive manner. During the first four years of funding (FY 87 through FY 90) over 56,000 victims and their loved ones were served by VOCA funded programs. These individuals received over 273,500 services from VOCA programs, including counseling, crisis intervention and legal advocacy. It is anticipated that VOCA programs will exceed these levels in FY 91 and 92.

The Victim and Witness Assistance Board is proud of the accomplishments of all of the agencies it has funded through VOCA since the program's inception. The Board and the Massachusetts Office for Victim Assistance look forward to working with you throughout the course of the FY 92 grant cycle. Please do not hesitate to contact MOVA staff if you have any questions or need assistance.

Appendix

Appendix A

Federal Register Final Program Guidelines

Final Program Guidelines for the Victims of Crime Act Victims Assistance Grant Program

AGENCY: Department of Justice: Office of Justice Programs, Office for Victims of Crime.

ACTION: Notice of final program guidelines for the Victims of Crime Act Victim Assistance Grant Program.

SUMMARY: The Office for Victims of Crime (OVC), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ), is publishing final Program Guidelines to implement the victim assistance grant program authorized by the Victims of Crime Act of 1984 (VOCA), Pub. L. 98-473, as amended by the Children's Justice and Assistance Act of 1986 (CJA), Pub. L. 99-401, and as amended by the Anti-Drug Abuse Act of 1988, Title VII, Subtitle D, of Pub. L. 100-690 (hereinafter referred to as the "Act"). The Victims of Crime Act has been codified at 44 U.S.C. 10601, *et seq.*

The Act provides Federal financial assistance to states for the purpose of compensating and otherwise assisting victims of crime and, also, provides funds for training and technical assistance and assisting victims of Federal crimes. These Program Guidelines provide program background, eligibility requirements, and administrative procedures for the implementation of the crime victim assistance grant program as outlined in section 1404 (a) of the Act. The Guidelines are based on the experience gained during the first four years of the programs' implementation and are responsive to the amendments to the Victims of Crime Act of 1984. These Guidelines supersede all previous Program Guidelines issued by the Office for Victims of Crime (OVC) to implement the Victims of Crime Act victim assistance grant program.

FOR FURTHER INFORMATION CONTACT: Duane Ragan, Ph.D., (202) 724-5947. (This is not a toll free number).

SUPPLEMENTARY INFORMATION: On March 7, 1989, the Office for Victims of Crime published for public comment proposed Program Guidelines for the Victims of Crime Act (VOCA) victim assistance grant program in the Federal Register (Vol. 54, No. 43, Pages 9571-

9580). In response to this publication OVC received 126 individual comments from Congress, national organizations, VOCA state administrators, state advisory groups, statewide and national coalitions, victim service providers, victim advocates, and crime victims.

The Proposed Guidelines contained a complete discussion of all policy issues and program requirements. Commenters were generally appreciative and supportive of the clarification provided regarding allowable costs, eligible programs, and eligible services. The concerns expressed can be grouped into seven major policy issues which include: perpetrator rehabilitation, generic victim services, seed money, underserved populations, program match, and allowable costs and eligible services.

In addition to written comments, OVC solicited and received oral comments from representatives of several national organizations in the field of victim services. All comments were considered by OVC in preparing the final Program Guidelines. OVC does not plan to provide individual written responses to each of the comments received. However, an analysis of the comments received and OVC's response is provided below.

Summary of the Comments to the Proposed Program Guidelines

In the proposed and final Program Guidelines OVC attempted to adhere closely to the letter and spirit of the legislation. The primary purpose of the VOCA victim assistance grant program is to assist states in providing high-quality services that directly improve the health and well-being of victims of crime with priority given to victims of child abuse, domestic violence, and sexual assault and services for previously underserved victim populations.

OVC notes that 37 letters came from domestic violence programs and domestic violence coalitions. Several major themes clearly emerged from this group of commenters. These writers were generally unsupportive of: (1) Any VOCA funds being set aside for victims other than victims of sexual assault, domestic violence, and child abuse; (2) classifying underserved populations as a new priority area; and (3) any limitation on multi-year funding for priority programs. In addition, domestic violence programs and coalitions, along with other programs, almost uniformly agreed that perpetrator rehabilitation in family violence cases should not be supported with VOCA funding.

OVC also received 13 comments from groups which provide services to sexual

assault victims who also identified general areas of concern and unanimously supported and opposed specific provisions of the proposed Program Guidelines. They opposed any attempt by states to limit the number of years for which a designated priority program would be eligible for funding and specifically requested that OVC issue language prohibiting this practice. This group also urged OVC not to identify previously underserved victim populations as a new or fourth priority. Both domestic violence and sexual assault programs requested that OVC more strongly state that priority programs not be required to provide "generic" services.

Comments received from the VOCA state administrators tended to focus on administrative aspects of the VOCA victim assistance grant program. Of the 15 VOCA state administrators who submitted comments, 8 expressed their views regarding the allocation of a percentage of VOCA victim assistance funds to the previously underserved victim populations. These VOCA state administrators generally agreed that no percentage should be allocated to previously underserved victim populations thus providing the states with the maximum flexibility to determine the amount to be allocated for this purpose. VOCA state administrators also requested that OVC expand upon the allowable costs and eligible services section of the final Program Guidelines.

OVC received a joint letter from two members of the House of Representatives, Representative John Conyers, Chairman of the Committee on Government Operations, and Representative George Miller, Chairman, Select Committee on Children, Youth, and Families. These congressional representatives reiterated their positions on the purposes of priority programs (i.e., to foster specialized services) and seed money for new programs (i.e., to favor existing programs over newer ones). Moreover, they reasserted their opposition to the proposed requirement for a minimum 10% to support previously underserved populations, relying on their interpretation that the House never intended this new category to be treated like the three original priorities.

In contrast to the views expressed by Representatives Conyers and Miller on the proposed treatment of previously underserved victim populations, Senator Joseph Biden, Jr., Chairman of the Committee on the Judiciary, wrote to OVC stating that "I believe that the department's guidelines requiring states

to devote at least ten percent of their victim assistance funds to previously underserved populations of victims is consistent with the explicit language contained in the 1988 drug bill and the intent of the authors of the victim assistance amendments."

Finally, OVC received a wide range of letters from other national and local organizations which focused upon one or two issues. Among these national and local organizations, OVC received strong support for: (1) Establishing a minimum of 10% funding in each state for their respective previously underserved populations; (2) changing the match requirement for new programs; (3) programs providing crisis intervention services receiving priority funding consideration; (4) special consideration to Native Americans; and (5) the statement regarding seed money for new programs.

Analysis of and Response to Comments on the Proposed Program Guidelines

1. Perpetrator Rehabilitation. Nearly half of the comments (04) received urged OVC to reconsider the proposal to allow perpetrator counseling to reunite families in domestic violence cases as an eligible service to be supported by VOCA victim assistance grant funds. Comments were received from a broad cross-section of programs and agencies, including VOCA state administrators, battered women shelters, national organizations, rape crisis centers, and general victim services programs. The majority of the comments on this issue came from domestic violence programs and coalitions.

After careful consideration of these comments, OVC has amended the final Guidelines to state that "perpetrator rehabilitation is clearly not a direct service to victims of crime as intended by VOCA and, therefore, not an eligible service or activity to be supported by victim assistance grant funds."

2. Generic Victim Services.

Approximately 84 letters were received (of which 17 came from individuals associated with one organization) requesting that OVC issue a stronger statement that priority programs need not provide "generic" victim services or extend services to other non-priority victims in order to be eligible for funding. OVC wishes to reiterate even more strongly that there is no requirement that each program designated as a priority program provide what are termed as generic victim services. Further, there is no requirement that all VOCA-funded programs must serve all types of victims.

3. Seed Money. OVC received a substantial number of comments (53) on the use of VOCA assistance funds as money to seed the development of new programs. Commenters generally agreed that OVC should issue a stronger statement prohibiting states from limiting the number of years a program may apply for crime victim assistance grants. OVC believes that this issue is best left to the individual states because of the careful balance that states must maintain in appropriately funding victim service programs to meet the divergent needs of their victim populations. However, state administrators are discouraged from establishing a blanket policy of terminating funding to programs receiving awards in previous years solely to fund new programs.

4. Previously Underserved

Populations. OVC received 83 comments (of which 17 were from individuals associated with one organization) from priority victim organizations requesting that child abuse, sexual assault, and domestic violence programs be eligible for consideration as previously underserved populations. However, given the clear intent of the amendment to the legislation to broaden the support for crime victim services into other areas previously lacking funding support, this is not permissible. It is important to note that although a minimum of 30% has previously been set aside for the three priority area programs, experience has shown that states have allocated the majority of VOCA funds to programs which serve victims of child abuse, domestic violence, and sexual assault. (Seventy-six percent of the monies allocated to state victim assistance programs went to programs serving priority area victims. These monies funded 82% of the VOCA supported programs.) Therefore, states will be asked to identify victims of crime other than those included in the three priority categories in order to fulfill this requirement.

The letter received from Representatives John Conyers and George Miller restated their position that the proposed Guidelines were not in keeping with their interpretation of Congressional intent regarding underserved populations. They believe that the intent of the House of Representatives was that the original priority areas were to be treated more favorably than the recently recognized underserved populations.

The letter received from Senator Joseph Biden, Jr. strongly supported the notion that the proposed minimum 10% allocation for previously underserved populations effectuated the intent of the

amendment. According to Senator Biden when the Senate sought to require states to give consideration to underserved populations of victims similar to the three original priority areas, the Committee used language which was identical to the legislative language in the original Victims of Crime Act. Senator Biden indicated that he and Senator Thurmond, as authors of VOCA in 1984 and co-managers of the criminal justice amendments in the 1988 drug bill, inserted a section-by-section analysis of the Senate amendments into the Congressional Record. This analysis called on the Department of Justice to issue a minimum funding requirement for underserved populations that was identical to the requirement implementing VOCA's three original priority areas. Senator Biden, quoting the *Congressional Record*, wrote that:

In keeping with the Department's guidelines implementing the priority language of section 1404(A) of the Act, the (Judiciary) Committee directs the Attorney General to issue guidelines that ensure that at least ten percent of a state's victims assistance fund shall be used to provide grants to programs serving previously underserved victim populations, including for example, survivors of homicide victims and victims of drunk and drugged driving incidents (134 Cong. Rec., October 14, 1988, S15800).

OVC also received letters from two national organizations (National Victims Center and Mothers Against Drunk Driving), representing hundreds of victim service programs, supporting OVC's proposal to set aside 10% for previously underserved victims. These two organizations recommended that OVC define previously underserved victim populations by type of crime. Consistent with references in the *Congressional Record*, states are encouraged to identify previously underserved populations of victims by type of crime, e.g., victims of DUI and DWI, survivors of homicide victims, and other victims of violent crime, or Native American victims of crime on Indian reservations. OVC has included Native American victims because of the paucity of victim services on Indian reservations and their lack of access to existing services.

Related to this same issue, comments received suggested that: (1) States be asked to give preference to programs serving previously underserved victim populations with no specific percentage allocated, (2) the 10% allocated represents a funding ceiling, and (3) the previously underserved victim populations should not be considered a new or fourth priority category.

In implementing the program requirement for previously underserved

victims, the OVC has considered the conflicting perspectives expressed by Congress and constituency groups. The rationale for establishing a specific level of funding for previously underserved victims of violent crime is to promote the broadest effort possible to assist these victims and to ensure that no category of victim is ignored. With regard to the degree of financial support that should be made available to previously underserved victims, OVC is directing states to allocate at least 10% of their VOCA victim assistance funds to previously underserved victims of violent crime. In this way, one or more previously underserved populations of victims of violent crime, as identified by each state, will constitute a single category for which at least 10% of the state's VOCA victim assistance funds must be allocated. That is to say, for example, if a state were to designate two types of victims as previously underserved for purposes of this section, both populations *together* would share the minimum 10% funding required.

5. Definition of a Priority Program. Thirty-one commenters recommended that OVC expand its definition of a priority program to include "specialized" services. Included in these was a joint letter from Representatives Conyers and Miller supporting this wording. OVC has considered these comments and believes this would be helpful in clarifying what is a priority program for purpose of VOCA. Therefore, OVC defines a priority program as one whose principal mission is to offer comprehensive specialized services tailored to the special needs of one or more priority category victims. OVC encourages states to consult with victim service providers, victim advocates, crime victims, etc., in order to identify the appropriate specialized services.

6. Program Match. OVC carefully reviewed recommendations to retain the current match requirement for new programs and to restrict program match to cash only for new programs. A few writers expressed concern that new programs could use in-kind as well as cash match. Additionally, they expressed concern regarding the relative reduction in the amount of match necessary for new versus existing programs. Commenters suggested that this might send a signal to states that funding new victim programs should receive priority over funding existing victim service programs. *This was not the intent of the proposed changes in match requirements.*

OVC recognizes that a primary purpose of the Victims of Crime Act, as amended, is to expand and enhance the

delivery of services to crime victims provided by existing victim assistance programs. The new match requirements reflect the intent of the Act regarding the continuity of existing crime victim assistance programs and address the need for the development of necessary victim service programs.

7. Other Revisions. Several VOCA administrators requested clarification on allowable costs and eligible services. The following is a breakdown of those issues and OVC's response.

a. Legal Services. Writers inquired whether legal services include the filing of elder abuse petitions and child abuse petitions, as well as temporary restraining orders. OVC considers these to be allowable activities to be supported by VOCA victim assistance funds. OVC believes these are the types of necessary and essential emergency legal services which aid in removing the victim from immediate revictimization as contemplated by the VOCA. All other, non-emergency, legal services are not allowable.

b. Insurance. Additional questions arose regarding building and vehicle insurance and the necessary maintenance and repair of a building or a vehicle using VOCA victim assistance funds. The purchase of liability insurance policies and the repair of buildings and vehicles are incidental expenses and do not appear to be necessary to the provision of direct services to crime victims as intended by the Act. Therefore, VOCA victim assistance grant funds may not be used for these purposes.

c. Rent. Commenters inquired whether the cost of rent may be charged to a VOCA victim assistance grant. A subgrantee may charge, or prorate, the reasonable cost of rent for a VOCA-funded project. The grantee/subgrantee shall certify in writing that the requested rental charge is consistent with the prevailing rate in the local area and shall maintain documentation in its files to support such a determination.

d. Equipment Purchases and Capital Expenditures. Section 1404(b)(2) provides that VOCA victim assistance grant funds may only be used to provide services to victims of crime. However, equipment that is necessary and essential to the delivery of direct services is deemed an allowable cost by OVC.

The Office for Victims of Crime has considered carefully the recommendations of the many commenters. This consideration has led to a number of revisions and further clarification in the final Program Guidelines. These revisions reflect

OVC's objective to carry out the purpose of VOCA, while taking into consideration the diverse coalitions of victim service providers, victim advocates, state administrators, national organizations, crime victims, and members of Congress.

Discussion of Victim Assistance Grant Program, Background, Legislative Changes, and Program Policy

The fundamental approach of these Program Guidelines is to maximize state authority within the context of congressional intent of the Act. In this way, Federal intrusion on the states' decision-making authority will be appropriately limited. Indeed, from its inception, the Act has strongly favored state autonomy within Federally determined guidelines. Program application, reporting, and evaluation requirements have been established at a level necessary to maintain proper Federal stewardship for the funds and to report to the President and Congress on the impact of the funding.

These Guidelines do not constitute a "major" rule as defined by Executive Order 12291 as they do not result in: (a) An effect on the economy of \$100 million or more; (b) a major increase in any costs or prices; or (c) adverse effects on competition, employment, investment, productivity, or innovation among American enterprises.

In addition, because these Guidelines will not have significant economic impact on a substantial number of small entities, no analysis of the impact of these rules on such entities is required by the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*

The collection of information requirements contained in Section V of the Program Guidelines has been submitted to the Office of Management and Budget (OMB) for review under the Paperwork Reduction Act, 44 U.S.C. 3504(h).

The primary purpose of the VOCA victim assistance grant program is to assist states in providing high quality services that directly improve the health and well-being of victims of crime and to provide funding for sexual assault (rape crisis programs), spousal abuse (domestic violence shelters), child abuse (treatment programs), and previously underserved victim populations. A wide range of services for victims of crime are supported by this Act. They include, but are not limited to, ensuring that victims receive timely notification about the various proceedings involved in prosecuting the person accused of the crime and counseling to help the victim overcome the emotional trauma of victimization. Congress has supported

the view that some services are more directly related to the emotional healing and recovery of the victim than others.

Since there are not enough dollars available in the Crime Victim Fund to permit funding all victim services, it is the intent of VOCA to ensure that services that directly improve the health and well-being of crime victims receive first consideration when planning the distribution of limited Crime Victim Fund monies. The Office for Victims of Crime encourages state administrators to consider first the funding of programs that offer counseling services, shelter, and other emergency assistance that address the devastating psychological and emotional consequences experienced by victims of crime and their families. Consequently, programs meeting the immediate short-term emergency needs of crime victims should be considered for funding over programs offering other types of services with the exception of programs whose primary purposes are to aid survivors of homicide victims and for whom services may be delayed beyond the initial crisis.

Crime Victims Fund Distribution

The reauthorization legislation establishes a ceiling of \$125 million in Fiscal Years 1989-1991 and \$150 million to Fiscal Years 1992-1994 for the Crime Victims Fund (hereinafter referred to as the "Fund").

Monies deposited in the Fund shall be made available in the following manner. Of the first \$100 million deposited in the Fund: 49.5% shall be made available for victim compensation program grants; 45% shall be made available for victim assistance program grants; 1% shall be available for support of services to Federal crime victims (of which up to 0.5% may be made available for training and technical assistance projects for eligible victim assistance programs and at least 0.5% may be made available for services to victims of Federal crimes); and 4.5% shall be made available under the provisions of the Children's Justice and Assistance Act of 1988. Of the 4.5% made available to the Department of Health and Human Services to improve the investigation and prosecution of child abuse, especially child sexual abuse cases, 15% shall be made available for assisting Native American tribes in developing, establishing, and operating programs designed to similarly improve the handling of child abuse cases, especially child sexual abuse cases in Indian country. This 15% shall be administered by the Office for Victims of Crime.

The next \$150,000 deposited in the Fund above the first \$100 million (i.e., any amounts between \$100 million and

\$105.5 million) shall be made available for Children's Justice Act grant purposes. Deposits in excess of \$105,500,000, but not in excess of \$110 million ceiling, shall be made available for victim assistance program grants.

Of deposits in excess of the \$110 million and up to the ceiling, 47.5% shall be made available for victim compensation program grants, 47.5% shall be made available for victim assistance program grants, and 5% shall be made available for services to victims of Federal crimes.

If the total deposited in the Fund during a particular year reaches the ceiling, the excess shall not be a part of the Fund. The first \$2.2 million of such excess shall be available to the Federal judicial branch for administrative costs to carry out the functions of the Administrative Office of the U.S. Courts with respect to the collection of criminal fines and penalty assessments. (See subsection 1402(c)(1)(A)) The remaining monies shall be deposited in the General Fund of the United States Treasury.

No deposits shall be made in the Fund after September 30, 1994, under the current reauthorization.

Recent Changes in the Distribution of Victim Assistance Funds to the States

The 1988 amendments to the Victims of Crime Act increased the base amount each state shall receive in victim assistance funds from \$100,000 to \$150,000 for Fiscal Years 1989, 1990, and 1991, and to \$200,000 for Fiscal Years 1992, 1993, and 1994. (See section 1404(a)(5) (A) and (B))

In addition, for the purposes of allocating the base amounts to the states, the United States Virgin Islands and all territories and possessions of the United States are to be included along with the District of Columbia and Puerto Rico. (See section 1404(d)(1))

Victims of Crime Act Victim Assistance Grant Program Final Program Guidelines

1. General Provisions of the Final Guidelines

A. Eligible Applicants

All states including the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, and all other territories and possessions of the United States are eligible to apply for and receive Victims of Crime Act victim assistance grants. (See section 1404(d)(1) of the Act) For the purpose of these proposed Guidelines, the term "state" includes the District of Columbia, Puerto Rico, the United States Virgin Islands, and any other territory or

possession of the United States (See section 1404(d)(1) of the Act).

B. State Office

The chief executive of each participating state must designate or establish a state office for the purpose of preparing an application for funds and administering the funds received, including fund accounting and disbursement, monitoring, reporting, and audit.

II. Allocation of Funds

A. Fund Availability

Section 1404(e)(1) of the Victims of Crime Act of 1984, as amended, provides that crime victim assistance grants shall be made from the portion of the Fund not used for crime victim compensation grants, or reserved for training and technical assistance activities, or for financial support to victims of Federal crime (See section 1404(c)(1) of the Act), or for grants under the Children's Justice Act (See section 1404 A of the Act). Funds are available for expenditures in the Federal fiscal year of award and in the next succeeding fiscal year. Note: The Federal fiscal year begins on October 1 and ends on September 30 of the following year.

B. Allocation to States

Each state, the District of Columbia, Puerto Rico, and United States Virgin Islands, and any territory and possession shall receive a base amount of \$150,000 in fiscal years 1989 through 1991, and a base amount of \$200,000 thereafter through fiscal year 1994, and that portion of the then remaining available money to each state that results from a distribution among the states on the basis of each state's population in relation to all states.

C. Allocation of Funds within the States

Funds granted to the states are to be further subgranted within the state to eligible victim services programs. The state has sole discretion as to which programs providing direct services to crime victim receive funds, so long as the eligibility criteria set out in the Act and enumerated in these Guidelines are met.

D. Seed Money

OVC encourages states to take into consideration in developing program funding policy, the range of victim services needed throughout the state, the track record of funded programs, and the extent to which other sources of funding are available to proposed projects and previously funded VOCA projects. States are encouraged to carefully examine their various victim

service needs and to expand into new service areas as crime victims funds increase. State administrators are discouraged from establishing a blanket policy of terminating funding to programs receiving awards in previous years solely to fund new programs.

III. Program Requirements

A. Priority and Previously Underserved Victim Populations

Under the Act, the chief executive of the state must certify that the state shall give priority to eligible crime victim assistance programs which have as their principal mission providing direct assistance to victims of sexual assault, spouse abuse, or child abuse, and to programs serving previously underserved populations of victims of violent crime as determined by each state. (See section 1404(e)(2) (A) and (B) of the Act). To meet this requirement, each state shall allocate at least 10% of its total Victims of Crime Act victim assistance grant to each of the three priority categories and at least 10% to programs which serve victims determined by the state to have been previously underserved.

Each state is further required to describe in its application or within 60 days of acceptance of their award the procedures used to identify previously underserved victim populations and the method planned for allocating VOCA funding for these services. The 10% figure provided in these Program Guidelines is intended to represent a base amount of funding to each of the priority areas and to the underserved victims of crime and to give each state discretion to determine the level of additional funding needed.

The Office for Victims of Crime believes it is incumbent upon each state, not the Federal Government, to determine if funding in excess of the minimum base amount level established by the Office for Victims of Crime is needed in a particular priority area. In no way is the 30% base amount targeted for programs serving priority victims nor the 10% base amount targeted for programs serving previously underserved victim populations intended to establish a cap on the amount allocated to programs serving these categories of crime victims. While experience has shown that states have allocated the vast majority of VOCA funds to programs which serve victims of child abuse, domestic violence, and sexual assault, states may provide funding for all types of victim services.

1. *Defining A Priority Program.* OVC defines a priority program as one whose principal mission is to offer

comprehensive specialized services tailored to the special needs of one or more priority category of victims. OVC encourages states to consult with victim service providers, victim advocates, crime victims, etc., in identifying what those specialized services should be.

2. *Identifying Previously Underserved Populations.* States must make funds available for services to previously underserved victim populations and are encouraged to identify previously underserved populations of victims by type of crime, e.g., victims of DUI and DWI, survivors of homicide victims, and other victims of violent crime, or Native American victims of crime on Indian reservations. OVC has included Native American victims of crime because of the paucity of services on Indian reservations and their lack of access to existing services due to geographic remoteness.

B. Non-Supplanting

The chief executive of the state or his/her designated state administrator must certify that crime victim assistance grant funds will not be used to supplant state and local funds that would otherwise be available for crime victim services. (See section 1404(a)(2)(B) of the Act.) Federal grant funds are intended to enhance or expand services, not substitute for other sources of support.

C. Eligibility Criteria

States must use crime victim assistance grant funds to support programs that provide direct services to crime victims. Each individual victim assistance project receiving a crime victim assistance subgrant must meet the following eligibility requirements:

1. Be operated by a public agency or nonprofit organization or a combination thereof that provides direct services to crime victims;

2. If it is an existing program, have a record of providing effective services to victims of crime and financial support from other sources. In determining whether or not a program has a "record of providing effective services," the state shall consider whether the program has been providing services to victims of crime for a minimum of one year, has the support and approval of its services by the community, and whether or not an analysis of its activities and financial history shows that it achieves its intended results in a cost-effective manner. An existing program shall be considered to have "financial support from other (non-Federal) sources" if at least 20% of its support (including in-kind contributions) is from non-Federal sources, or an appropriation, as

provided in Chapter 2, paragraph 14(c)(2)(b) of the M 7100.1. (See section 1404(b)(1)(B)(i) of the Act.)

Note: Funds subgranted to Indian tribes or Native American organizations on Indian reservations will require only a 5 percent minimum match (cash or in-kind) of the total costs of the VOCA supported victim assistance program or project.

3. If it is a new program that has not yet demonstrated a record of effective services as required under (2) above, it may be eligible for funding if it demonstrates substantial financial support from non-Federal sources. "Substantial financial support" means that at least thirty-five percent (35%) of its budget is in the form of cash or in-kind contributions from non-Federal sources or an appropriation as provided in Chapter 2, paragraph 14(c)(2)(b) of the M 7100.1. (See section 1404(b)(1)(B)(ii) of the Act.)

Note: Funds subgranted to Indian tribes or Native American organizations on Indian reservations will require only a 5 percent minimum match (cash or in-kind) of the total costs of the VOCA supported victim assistance program or project.

a. *Overmatch.* In a number of the states' subgrant award reports, the Office for Victims of Crime has noted that subgrantees designated a substantial portion of all of their non-Federal dollars as match. States and subgrantees should be mindful that any funds designated as matching funds for Federal dollars are restricted to the same uses outlined in the Program Guidelines for Federal funds. Therefore, it is suggested that subgrantees only provide match at the levels required by the Program Guidelines (i.e., 20% for existing programs and 35% for new programs). In that way, there are no Federal restrictions on the non-Federal dollars not used by subgrant programs as match.

b. *Basis of Match.* The final Program Guidelines will continue to require match on a project-by-project basis. No exceptions will be granted to this policy. Programs receiving block funds must maintain records which clearly show the source, the amount, and the timing of all matching contributions. The M7100.1 also places primary responsibility on the state to ensure subgrantee compliance with this requirement.

4. Utilizes volunteers unless, and to the extent, the state chief executive determines compelling reasons exist to waive this requirement. A "compelling reason" may include a statutory or contractual provisions that bare the use of volunteers for certain positions or a lack of persons volunteering after a

sustained and aggressive recruitment effort has been conducted.

5. Promotes within the community served coordinated public and private efforts to aid crime victims. (see section 1404(b)(1)(D) of the Act.) Because of the various kinds of services needed by victims of crime, services are usually provided by a variety of agencies. Therefore, it is essential that these services be coordinated to ensure continuity of support to the victim and to avoid duplication of effort. In determining whether or not a program meets this requirement, the state shall consider the extent to which the program demonstrates that it will coordinate its activities with other service providers in the community, including Federal victim/witness coordinators, so that the best interests of the crime victims are served and interagency communication is enhanced.

6. Assists victims in seeking available crime victim compensation benefits. (see section 1404(b)(1)(E) of the Act.) Such assistance may be achieved by identifying and notifying potential recipients of the availability of compensation and assisting them with application forms and procedures. An eligible program must demonstrate that it will coordinate its activities with the state compensation program, where one exists.

d. Section 1404(b)(1) of the Victims of Crime Act of 1984, as amended, provides specific criteria for programs to be eligible for victim assistance grant funds. The reauthorization and issuance of these Program Guidelines provide an opportunity to clarify issues which have emerged regarding the appropriate use of Victim of Crime Act victim assistance grant funds. The Office for Victims of Crime is mindful of the fact that we now have had four years of experience administering VOCA victim assistance grants. After careful review of the subgrants made in prior fiscal years, the Office for Victims of Crime believes it is necessary to articulate policy positions concerning certain allowable costs and program eligibility.

One area of central importance in this discussion is the relationship between VOCA crime victim compensation and VOCA victim assistance programs. In their initial years of grants, some states used victim assistance grant funds to supplement crime victim compensation awards to victims of crime. In these cases, some programs receiving VOCA victim assistance grant funds supplemented crime victim compensation claims when a particular loss or expense was not covered by the state crime victim compensation program. This is not an appropriate use

of limited VOCA victim assistance funds. It is clear in the legislative history that the crime victim compensation provision of the Act was intended as the sole source of VOCA funding for reimbursement to victims for out-of-pocket expenses relating to a compensable crime. VOCA victim assistance grant funds, on the other hand, are intended to support the provision of direct services to victims of crime.

Crime victim assistance funds shall be used only to provide direct services to victims of crime. (Section 1404(b)(2).) For purposes of these Guidelines, services to victims of crime means those activities that directly benefit individual crime victims including the required and necessary coordination of such activities, i.e., coordination of volunteers and/or coordination of services to the victim which must be provided by other community agencies. Activities unrelated or only tangentially related to the provision of direct services to victims are not eligible for support. Likewise, indirect costs which are often imposed by Indian tribes of Federal grants are not permissible in VOCA funded victim assistance grants.

Questions have also arisen as to whether local legal services corporation-funded offices are eligible as victim assistance subgrantees. Legal services, especially legal advocacy services, are not the types of victim services envisioned when the Victims of Crime Act was enacted. The "court related services" eligible for VOCA funding include, but are not limited to, assisting victims with filing temporary restraining orders, explaining court procedures, accompanying a crime victim to court, providing child care services for crime victims while they participate in essential court proceedings, providing transportation to and from court, and providing emotional support to crime victims during a trial. However, a legal services agency is not deemed ineligible as long as it provides the emergency services discussed above, e.g., securing temporary restraining orders, etc. Such programs may seek VOCA funding for the above-described emergency services.

1. The following activities are ineligible for VOCA funding.

a. *Community Education.* General public awareness campaigns designed to raise the public's consciousness of victims issues do not qualify as direct services to crime victims and are ineligible for support with VOCA funds. The community education activities eligible to receive VOCA funds are limited to efforts describing direct

services available and how to obtain a program's assistance, e.g., publication of brochures, pamphlets, etc.

b. *Crime Prevention.* Also ineligible for funding are those programs in which crime victims are not the sole or primary beneficiaries of funded activities. The crime prevention activities eligible to receive VOCA funds are limited to those prevention efforts specifically included in providing emergency assistance after a victimization incident such as services to prevent the immediate reburglarization of a home or an apartment, e.g. boarding up of windows, replacement or repair of security locks, etc. Other more generalized crime prevention efforts are not allowable.

c. *Lobbying, Legislative, and Administrative Advocacy.* Lobbying for particular victim legislation or administrative reform, whether conducted directly or indirectly, is another activity that is ineligible for funding with VOCA victim assistance grant funds. Chapter 5, paragraph 74, subsection 3, of the Office of Justice Programs' *Financial and Administrative Guide for Grants*, M7100.1 (effective edition) hereinafter referred to as M7100.1, lists the following activities as not allowable: "Any attempt to influence: (i) The introduction of Federal or state legislation; or (ii) the enactment or modification of any pending Federal or state legislation through communication with any member or employee of the Congress or State legislature (including efforts to influence state or local officials to engage in similar lobbying activity), or with any government official or employee in connection with a decision to sign or veto enrolled legislation." Refer to paragraph 74 of M7100.1 for further information on allowable and unallowable activities.

d. *Perpetrator Rehabilitation.* Perpetrator counseling and/or rehabilitation is not a direct service to a victim of crime as intended by VOCA and is, therefore, not an eligible service or activity to be supported by victim assistance grant funds.

e. *Needs Assessments, Surveys, Manuals, and Protocols.* The use of VOCA funds to conduct needs assessments, surveys, develop manuals and protocol, or to perform general administrative tasks does not fall within the intent of the Act and is outside the scope of the Program Guidelines.

f. *Fundraising.* Chapter 5, Paragraph 73 of M7100.1 lists fund raising as an unallowable expense.

g. *Equipment Purchases/Capital Expenditures.* Section 1404(b)(2) provides that Victims of Crime Act victim assistance grant funds may only

be used to provide services to victims of crime. However, equipment that is necessary and essential to the delivery of direct service is deemed by the Office for Victims of Crime as an allowable cost.

h. *Professional Services of Doctors and Lawyers.* The payment of fees for professional services rendered by lawyers and doctors in most instances extend beyond the intent of the Act and are, therefore, ineligible for VOCA victim assistance funding. Except for the purposes of providing reimbursement for forensic medical examinations, as provided in section III, D(2)(e) of the Act, victims treated for crime related injuries are encouraged to seek reimbursement for medical services rendered by doctors from their state crime victims compensation program. This provision, however, does not prohibit direct service programs from hiring as staff salaried medical/mental health professionals to provide services on site to clients. This differs significantly from a case fee-for-service type arrangement. OVC considers only those legal services that include the filing of elder abuse petitions, child abuse petitions, and temporary restraining orders as allowable activities to be supported by VOCA victim assistance funds. All other, non-emergency, legal services are not allowable.

i. *Witness Management and Notification Programs.* Projects whose primary objectives are to improve the prosecutorial efficiency of a prosecutor's office and whose goals are primarily witness management and notification are identified as administrative in nature and are, therefore, ineligible for support with Victims of Crime Act victim assistance grant funds. However, victim/witness programs in prosecutors offices, which provide both victim services such as escort and support during trials and other type of services, can receive VOCA funding support only for that portion of the program that provides direct services to crime victims.

j. *Criminal Justice Improvements.* General criminal justice agency improvements or programs where crime victims are not the sole or primary beneficiaries are not eligible for support with VOCA victim assistance grant funds.

k. *Insurance.* The purchase of liability insurance policies and the repair of buildings and vehicles are incidental expenses and do not appear to be necessary to the provision of direct services to crime victims as intended by the Act. Therefore, VOCA grant funds may not be used for these purposes.

l. *Rent.* A subgrantee may charge, or prorate, a reasonable cost of rent for a VOCA-funded project. The grantee/subgrantee shall certify in writing that the requested rental charge is consistent with the prevailing rate in the local area and shall maintain documentation in its file to support such a determination.

2. "Services to victims of crime" include, but are not limited to, the following:

a. Crisis intervention services that meet the urgent short-term emotional or physical needs of crime victims. Crisis intervention services programs are encouraged to coordinate the provision of 24 hour services which may include the operation of a crisis hotline that provides emergency counseling or referral for crime victims;

b. Emergency services that provide temporary shelter for crime victims who cannot safely remain in their current lodgings offer measures such as repair of locks, or boarding-up of windows to prevent the immediate reburglarization of a home or an apartment, or provide crime victims with petty cash for meeting immediate needs related to transportation, food, shelter, and other necessities;

c. Support services that include follow-up counseling following the initial traumatic event; reassurance, empathetic listening, and guidance for resolving practical problems created by the victimization experience; acting on the victims behalf vis-a-vis other social services and criminal justice agencies; assistance in obtaining the swift return of property being kept by police as evidence; intervention, as appropriate, with landlords, creditors or employers; and referral to other sources of assistance, as needed;

d. Court-related services that assist crime victims in participating in criminal justice proceedings including transportation to court, child care, escort services and the filing of elder abuse and child abuse petitions, and temporary restraining orders;

e. Payment of all reasonable costs for a forensic medical examination of a crime victim, to the extent that such costs are not otherwise reimbursed or paid by a third party.

Note: Funds may only be used to pay for those forensic medical examinations that conform to standards adopted by the state or meet the evidentiary requirements of the local prosecutor.

E. The state must establish procedures to assure that funds subgranted to an eligible crime victim assistance program are expended only for providing services to victims of crime. These

procedures shall require a program to demonstrate to the state that the assistance funds it requested are directly related to the delivery of services to crime victims. Any costs, with the exception of audit expenses at the subgrant level, not directly related to service delivery for crime victims must not be charged to a subgrant. Programs that serve both victims and non-victims must reasonably prorate their costs to assure that crime victims funds are used only for victim services.

IV Application Requirements

A. Application Submission.

Applications for crime victim assistance grants must be submitted by the chief executive officer or his/her designee. The Office for Victims of Crime will provide a Program Instruction and Application Kit to each state for each Federal Fiscal Year. The application kit shall include: SF 424—Application for Federal Assistance, a list of assurances, a table of Fund allocations, certification of a drug-free workplace, certification regarding debarment, and additional guidance on how to prepare and submit an application for crime victim assistance grants. The Program Instruction and Application Kit will serve as the guidance document regarding application submission and content.

B. Application Specificity

Applications from the state need not specify the subgrants the state intends to make with the Federal crime victim assistance funds it receives. However, in the application, states must identify the "previously underserved" crime victim population to be served in the state with Federal victim assistance grant funds and discuss how the determination was made.

V. Reporting Requirements

A report to the President and Congress from OVC on the monies collected for the Crime Victims Fund from each source described in Section 1402 and on the effectiveness of the activities supported by the Fund is due on December 31, 1990, and on December 31, every two years thereafter.

Reporting requirements for this program are designed to provide the Office for Victims of Crime with meaningful information about the use of VOCA funds, progress in the delivery of victim services nationwide, and compliance with VOCA Program Guidelines.

Section 1407(b) of the Victims of Crime Act, as amended, requires each recipient of Federal victim assistance

grant funds to maintain records as the Director of the Office for Victims of Crime may prescribe including records that fully disclose the amount and disposition by the recipient of sums, the total cost of the undertaking for which such sums are used, and that portion of the cost of the undertaking supplied by other sources, and any other records that will facilitate an effective audit. Section 1407(f) permits the Director to: (1) Terminate payments to a state; 2) suspend payments to a state until the Director is satisfied that noncompliance has ended; or take other action as appropriate towards any state failing to comply substantially with any provision of the Victims of Crime Act or Program Guidelines requirement.

A. Subgrant Award Report

The state is required to notify the Office for Victims of Crime within thirty (30) days of an award of a subgrant, or of a change in an award to a subgrant recipient, and provide all information required to complete a Subgrant Award Report form provided by the Office for Victims of Crime. This information is required on each individual project which receives Federal crime victim assistance funds. If Federal victim assistance grant funds are passed through to another agency to further determine the distribution of funds, a Subgrant Award Report form must be completed for each program receiving Federal victim assistance grant funds. This report provides the Office for Victims of Crime with information necessary to determine compliance with the Victims of Crime Act, Program Guidelines, and provides information necessary to determine the status of VOCA funded victim services in each state. Each state administrator must notify OVC in their application of the approximate number of Subgrant Award Report forms they will need to meet this program requirement.

Note: OVC will provide the state with blank forms with the notification of award or at a later date, if not available at that time.

B. Performance Report

The state crime victim assistance agency receiving Federal victim assistance grant funds under the Victims of Crime Act is required to submit a performance report 90 days after the end of each annual grant, in the format and on the form provided by the Office for Victims of Crime. The state administrator is responsible for compiling the information and submitting a report to the Office for Victims of Crime. The performance report provides information on the effect

the Federal funds have had on services to crime victims in the state. This report should be submitted to the Office for Victims of Crime, Office of Justice Programs, 633 Indiana Avenue NW., Washington, DC 20531, by December 30. Note: OVC will provide each state with a copy of the program performance report form with the notification of award, or at a later date, if not available at the time of the award.

C. Financial Status Report

A Financial Status Report (Form H-1) is required for all grants. This report shall be submitted by the Grantee within 45 days after the end of each calendar quarter. Final reports are due 90 days after the end of the grant. Failure to comply with this requirement may result in administrative action such as the withholding of payments, cancellation of a Letter of Credit, or noncertification of new grant awards. In lieu of using the H-1, grantees may satisfy the financial reporting requirements by completing the H-1 turnaround document. This document is a facsimile of the H-1 extracted from the grantor agency's computer files and sent directly to each grantee. Pertinent information such as grantee name, address, grant number, and the previously submitted financial information (if any) is printed on the form by the computer.

Note: Obligation and expenditure Data must be reported at the Subgrantee Level.

VI. Financial Requirements

A. Payment of Grant Funds

1. *Annual Requirement Under \$120,000.* Grantees whose annual fund requirement is less than \$120,000 will receive Federal funds on a "Check Issued" basis. Upon receipt, review and approval of a Request for Advance or Reimbursement, H-3 Report (OJP, Form 7180/3) by the grantor agency, a voucher, and a schedule for payment is prepared for the amount approved. This schedule is forwarded to the U.S. Treasury requesting issuance and mailing of the check directly to the grantee or its designated fiscal agent. A request must be limited to the grantee's immediate cash needs and submitted at least monthly.

2. *Annual Requirement Over \$120,000.* Grantees whose annual fund requirement exceeds \$120,000 generally receive Federal funds by utilizing the "Letter of Credit" procedure. This funding method is a cash management process prescribed by the U.S. Treasury for all major grant-in-aid recipients.

3. *Check Issuance.* All checks drawn for the payment of fund requests, either under the "Check Issued" or the "Letter of Credit" process, are prepared and disbursed by the U.S. Treasury and not by the grantor agency.

4. *Termination of Advance Funding.* If a grantee organization receiving cash advances by letter of credit or by direct Treasury check demonstrates an unwillingness or inability to establish procedures that will minimize the time elapsing between cash advances and disbursement, the grantor agency may terminate advance funding and require the grantee organization to finance its operations with its own working capital. Payments to grantees will then be made by the direct Treasury check method to reimburse the grantees for actual cash disbursements. It is essential that the grantee organization maintain a minimal amount of cash on hand and that drawdowns of cash are made only when necessary for disbursements.

B. Cost Allowability

The Victims of Crime Act of 1984, as amended, specifically states that crime victim assistance grant funds may be used only for providing direct services to victims of crime. Only those costs directly related and essential to providing direct services to crime victims can be charged to the VOCA-funded subgrant. The following items require specific discussion. For further guidance, see Office of Justice Programs / *Financial and Administrative Guide for Grants*, M7100.1, Chapter 5.

1. *Audit costs:* Although under OMB Circular A-128 audit costs are generally allowable charges under Federal grants, audit costs incurred at the grantee (state) level are determined to be an administrative expense and, therefore, cannot be paid for with crime victim assistance grant funds. Reasonable audit costs incurred at the subgrantee level are, however, considered directly related and essential to the operation of the program and may be reimbursed as allowable costs.

2. *Training:* An eligible subgrantee of crime victim assistance grant funds may only include as a budget item the reasonable cost of staff development for those persons (salaried and volunteer staff) who provide direct services to crime victims. Also included as an allowable cost are the necessary and reasonable travel expenses related to the participation of direct service staff in eligible training programs. Such costs are, however, permitted only within the state or a comparable geographic region.

3. *Printing and Postage:* An eligible subgrantee of crime victim assistance grant funds may include as a budget

item reasonable costs of printing and distributing brochures and similar announcements to describe their program's victim services and how to obtain these services.

4. *Examples of Ineligible Costs* include but are not limited to: The administrative costs associated with conducting surveys and needs assessments, developing manuals and protocols, fees for professional services rendered by doctors and lawyers, and those costs associated with fundraising activities.

C. Audit Responsibilities

Pursuant to the Office of Management and Budget (OMB) Circular A-128, "Audits of State and Local Governments," grantees, subgrantees, and subrecipients have the responsibility to provide for an audit of their activities. These audits shall be made annually, unless the state or local government has, by January 1, 1987, a constitutional or statutory requirement for less frequent audits. Note: Institutions of higher education, hospitals, and other nonprofit organizations have the responsibility to provide for an audit of their activities not less than every two years. While governments (state and local) receiving less than \$25,000 in any fiscal year are exempt from a single audit, there is no audit exclusion for private nonprofit organizations. However, where state and local governments and nonprofit organizations received grants or other agreements less than \$100,000 and do not obtain audits that meet the requirements of OMB Circulars A-110 and A-128, DOJ grantor organizations shall assure that Federal funds are spent in accordance with applicable laws and regulations. Techniques to use to determine recipient compliance with Federal requirements are:

1. Recipient obtained audits made in accordance with the Standards for Audit of Governmental Organizations, Programs, Activities, and Functions issued by the Comptroller General;
2. Previous audits performed on recipients' operations;
3. Desk reviews by program officials of project documentation;
4. Project audits by Federal auditors or auditors obtained by recipients;
5. Evaluations of recipients' operations by program officials.

These audits shall be made by an independent auditor in accordance with generally accepted government auditing standards governing financial and compliance audits. The required audits are to be performed on an organization-wide basis as opposed to a grant-by-

grant basis. The audit reports must include:

1. The auditor's report on financial statements of the recipient organization and a schedule of financial assistance showing the total expenditure for each Federal assistance program;

2. The auditor's report on compliance containing:

- a. A statement of positive assurance with respect to those items tested for compliance, including compliance with law and regulations pertaining to financial reports and claims for advances and reimbursements;
- b. A negative assurance of those items not tested and a summary of all instances of noncompliance; and
- c. The auditor's report on the study and evaluation of internal control systems, which must identify the organization's significant internal accounting controls designed to provide reasonable assurance that Federal programs are being managed in compliance with applicable laws and regulation. It must also identify the controls that were evaluated, the controls that were not evaluated, and the material weaknesses identified as a result of that evaluation.

D. Audit Objectives

Grants and other agreements are awarded subject to conditions of fiscal, program and general administration to which the recipient expressly agrees. Accordingly, the audit objective is to review the recipient's administration of grant funds and required non-Federal contributions for the purpose of determining whether the recipient has:

1. Financial statements of the government, department, agency, or establishment that present fairly its financial position and the results of its financial operations in accordance with generally accepted accounting principles;
2. The organization has internal accounting and other control systems to provide reasonable assurance that it is managing Federal financial assistance programs in compliance with applicable laws and regulation; and
3. The organization has complied with laws and regulations that may have material effect on its financial statements and on each Federal assistance program.

E. Audit Implementation

Grantees are required to specify their arrangement for complying with the provisions of OMB Circular A-128 and include in their grant application, to the extent possible, the following information:

1. The identity of the organization that will conduct the audit;

2. Approximate timing of when the audit will be performed;

3. Audit coverage to be provided. Where the audit will not provide the coverage requirements as specified previously, the audit policy or procedures must describe the specific arrangements for obtaining audit services that will meet the requirements;

4. An identification of the audit standards, if any, with which the grantee will not comply;

5. Receipt and appropriate distribution of the resultant audit report; and

6. Audit resolution policies and procedures to be followed in resolving the audit report.

F. Fund Suspension or Termination

If, after notice and opportunity for a hearing, the Office for Victims of Crime, Office of Justice Programs finds that a state has failed to substantially comply with the Victims of Crime Act, M7100.1, these proposed implementing Guidelines, or any implementing regulation, the Office for Victims of Crime, Office of Justice Programs may suspend or terminate funding to the state, or take other appropriate action. Only states may request a hearing. Subgrantees in the state may not.

VII. Additional Requirements

A. Civil Rights

1. *General.* The Act provides that no person shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with any activity receiving funds under the Act on the basis of race, color, religion, national origin, handicap, or sex. (See section 1407(e) of the Act.) Recipients of funds under the Act are also subject to Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d (prohibiting discrimination in federally-funded programs on the basis of race, color, or national origin), section 504 of the Rehabilitation Act of 1973, 2 U.S.C. 794 (prohibiting discrimination in such programs on the basis of handicap), the Age Discrimination Act of 1975, 42 U.S.C. 6101, *et seq.*, and the Department of Justice Nondiscrimination Regulations, 28 CFR Part 42, Subparts C, D, and G.

2. *Required Assurances and Information.* To be eligible for funding under the Act, a crime victim assistance program must submit the following assurances and information:

a. An assurance that the program will comply with all applicable nondiscrimination requirements:

b. An assurance that in the event a Federal or state court or Federal or state administrative agency makes a finding of discrimination after a due process hearing, on the grounds of race, color, religion, national origin, sex, age or handicap against the program, the program will forward a copy of the finding to the Office of Justice Programs, Office for Civil Rights (OCR);

c. The name of the civil rights contact person who has lead responsibility in ensuring that all applicable civil rights requirements are met and who shall act as liaison in civil rights matters with OCR;

d. An assurance that programs will maintain information on victim services provided by race, national origin, sex, age and handicap. Note: States are not required to submit this information as part of their program performance report.

B. Confidentiality of Research Information

No recipient of monies under the Victims of Crime Act of 1984, as amended, shall use or reveal any research or statistical information furnished under this program by any person and identifiable to any specific private person for any purpose other than the purpose for which such information was obtained in accordance with this program and Act. Such information shall be immune from legal process and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial, legislative, or administrative proceeding. (See section 1407(d) of the Act.) This provision is intended, among other things, to assure the confidentiality of information provided by crime victims to crisis intervention counselors working for victim services programs receiving funds provided under this Act. Whatever the scope of application given this provision, it is clear that there is nothing in the Act or its legislative history to indicate that Congress intended to override or repeal, in effect, a state's existing law governing the disclosure of information which is supportive of the Act's fundamental goal of helping crime victims. For example, this provision would not act to override or repeal, in effect, a state's existing law pertaining to the mandatory reporting of suspected child abuse. See *Pennhurst State School and Hospital v. Halderman, et al.*, 451 U.S. 1 (1981).

Approved:

Jane Neddy Burnley,

Director, Office for Victims of Crime.

[FR Doc. 89-11085 Filed 5-17-89; 8:45 am]

BILLING CODE 4410-10-M

Appendix B

Federal Financial Status Report (H-1) -- Instructions and Forms

H-1
FINANCIAL STATUS REPORT

Financial Status Report (H-1)
U.S. Department of Justice. OJP

GRANT NUMBER: 89-VA-GX-0025

NAME AND ADDRESS OF GRANTEE

*GRANTEE ACCT. NO.

*EMPLOYER I.D. NO.

*

* FINAL REPORT (3) BASIS OF REPORT (2)
*/ / YES / / NO / / CASH / / ACCRUAL

PROJECT PERIOD

REPORT PERIOD

FROM: TO:

FROM: TO: (4)

STATUS OF FUNDS

PREVIOUSLY REPORTED CURRENT PER

(5)

A. TOTAL OUTLAYS PREVIOUSLY REPORTED

B. TOTAL OUTLAYS THIS PERIOD

C. INCOME CREDITS THIS PERIOD

D. NET OUTLAYS THIS PERIOD (LINE B - C)

E. TOTAL OUTLAYS TO DATE (LINE A + D)

F. LESS NON-FED SHARE OF OUTLAYS

G. FEDERAL SHARE OF OUTLAYS (LINE E - F)

H. TOTAL UNPAID OBLIGATIONS

I. LESS NON-FED SHARE OF UNPAID OBLIGATIONS

J. FED SHARE UNPAID OBLIG. (LINE H - I)

K. TOTAL FEDERAL SHARE OF OUTLAYS AND
UNPAID OBLIGATIONS (LINE G + J)

L. TOTAL FEDERAL FUNDS AUTHORIZED

M. UNOBLIGATED BAL. FED. FUND (LINE L - K)

REMARKS:

TOTAL FEDERAL FUNDS SUBGRANTED \$ (6)

CERTIFICATION: I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS
REPORT IS CORRECT AND COMPLETE AND THAT ALL OUTLAYS AND
UNPAID OBLIGATIONS ARE FOR THE PURPOSES SET FORTH IN THE
AWARD DOCUMENTS.

NAME AND TITLE (7)

SIGNATURE: (8)

*

DATE: (9)

*

TELEPHONE: (10)

INSTRUCTIONS FOR PREPARING THE FINANCIAL STATUS REPORT
H-1

1. Enter the name and complete mailing address including the zip code for the grantee organization.
2. Enter the employer identification number assigned by the U.S. Internal Revenue Service.
3. Mark the appropriate blocks to indicate whether this is a final report or not, and whether your fund disbursement is on a cash or accrual basis.
4. Enter the month, day, and year of the beginning dates of the quarter for which the report is prepared. Quarters = July 1 - Sept. 30; Oct. 1 - Dec. 31; Jan. 1 - March 31; April 1 - June 30.
5. PREVIOUSLY REPORTED = cumulative of all previous H-1 reports from July 1 to present quarter (note the July 1 to September 30 quarter will always be "0's"). This column is identical to the information reported as "current period" during the previous quarter's H-1 report.

CURRENT PERIOD = activity being reported for most recently ended quarter.

Line A. Enter the total outlays reported on line E of the previous report. Show zero if this is the initial report for the grant.

Line B. Enter the total gross program outlays for this report period, including disbursements of cash realized as program income. For reports which are prepared on a cash basis, outlays are the sum of the subgrantees actual cash disbursements for goods and services, the amount of indirect expense charged, the value of in-kind contributions applied, and the amount of cash advances and payments made to contractors. For reports prepared on an accrued expenditure basis, outlays are the sum of the subgrantees actual cash disbursements, the amount of indirect expenses incurred, the value of in-kind contributions applied, and the net increase (or decrease) in the amounts owed by the subgrantee for goods and other property received and for services performed by employees, contractors, and other payees. Outlays include both the outlays made by the State for its own operation and outlays reported by the subgrantees.

Line C. For reports prepared on a cash basis enter the amount of cash income received during the quarter which is to be used in the project or program in accordance with the terms of the grant. For reports prepared on an accrual basis, enter the amount of the net increase (or decrease) in the amount of accrued income since the beginning of the report period. Cash Income/Income Credits are defined as any earnings by the VOCA Grant Program and properly belonging to the program. This would include any profits made from hosting trainings, seminars or fundraisers (specifically sponsored by VOCA program); third party reimbursements from VOCA clients; payments received directly from clients through sliding scale fee or other fee for service basis.

Line D. This amount should be the difference between amounts shown on Lines B and C.

Line E. Enter the sum of the amounts shown on Lines A and D above. This amount represents the cumulative outlays to date of both Federal and non-Federal funds.

Line F. Enter the cumulative non-Federal amount of the program outlays included in the amount of Line E. This figure should include your agency's "match" and should equal no less than 25% of federal outlays (line K).

Line G. Enter the cumulative Federal share of program outlays. The amount should be the difference between Lines E and F.

Line H. For reports prepared on a cash basis enter the total amount of unpaid obligations for this grant. Unpaid obligations consist of unpaid obligations reported by the subgrantees. For reports prepared on an accrued expenditure basis, enter the amount of undelivered orders, unpaid bills and other outstanding obligations. Do not include any amounts that have been included in lines A through G. On the final report, Line H should have a zero balance.

Line I. Enter the non-federal share of unpaid obligations included on line H. On the final report Line I should have a zero balance.

Line J. Enter the Federal share of unpaid obligations included on Line H. The amount shown on this line should be the difference between the amounts on Line H and I. On the final report Line J should have a zero balance.

Line K. Enter the sum of the amounts shown on Lines G and J. If the report is final, the report should not contain any unpaid obligations.

Line L. Enter the total amount of the Federal grant.

Line M. Enter the unobligated balance of Federal funds, amount should be the difference between Lines L and K.

6. Enter contract award for contract year where it states total federal funds subgranted.

7. Type in the name and title of the person primarily responsible for the accounting of VOCA receipts and disbursements who is employed by the legal entity with which The Victim and Witness Assistance Board has contracted.

8. The signature of person identified in Item 7 must be provided.

9. If you are submitting a revised report please enter new date.

10. Include the telephone number of agency.

Appendix C

Sample Supplementary Reports and Financial & Internal Control Questionnaire

INDEPENDENT AUDITOR'S REPORT

October , 19

To the Officers and Directors
_____, Inc.

We have audited the accompanying balance sheet of _____, Inc. as of June 30, 19 and the related statements of income, expenses and changes in fund balances, functional expenses and cash flows for the year ended. These financial statements are the responsibility of the company's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of _____, Inc. as of June 30, 19 , and the results of its operations and its cash flows for the year then ended in conformity with generally accepted accounting principles.

Information for the year ended June 30, 19 is presented for comparative purposes only and was extracted from the financial statements presented by fund for that year, on which an unqualified opinion dated November 1, 19 was expressed.

Very truly yours,

Certified Public Accountants

F & C REPORT

October 19

To the Officers and Directors
_____, Inc.

We have examined the general purpose financial statements of _____, Inc. for the year ended June 30, 1989 and have issued our report thereon dated October , 19 . Our examination was made in accordance with generally accepted auditing standards and the standards for financial and compliance audits contained in Standards for Audit of Governmental Organizations, Programs, Activities and Functions, issued by the U.S. General Accounting Office and, accordingly, included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances.

Our examination was made for the purpose of forming an opinion on the general purpose financial statements taken as a whole. In addition, we performed a financial and compliance audit of the Federal Victims of Crime Act (VOCA) grant award for the grant fiscal year ended on June 30, 19 in accordance with the terms and conditions of the grant and the standards mentioned above. In connection therewith, reference should be made to our Auditor's Report on Internal Controls Used In Administering Federal Financial Assistance Programs and Auditor's Report on Compliance with Laws and Regulations to Major and Nonmajor Federal Financial Assistance Programs, which are thus incorporated herein.

Due to minimal amount of transactions relative to this program during the grant year ended on June 30, 19 , we reviewed all such expenditures for compliance with applicable terms of the grant as reported in the attached final H-1 report for the grant fiscal year ended on June 30, 19 filed by our client with the Massachusetts Victim and Witness Assistance Board.

_____, Inc. administered its VOCA grant in compliance, in all material respects, with laws and regulations, including those pertaining to financial reports (including quarterly H-1 reports) and claims for advances and reimbursements, noncompliance with which we believe could have a material effect on the allowability of program expenditures.

Very truly yours,

Certified Public Accountants

EVALUATION OF INTERNAL CONTROL STRUCTURE

October , 19

To the Officers and Directors
_____, Inc.

We have audited the financial statements of _____, Inc., for the year ended June 30, 19 and have issued our report thereon dated October , 19 .

We conducted our audit in accordance with generally accepted auditing standards and Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement.

In planning and performing our audit of the financial statements of _____, Inc. for the year ended June 30, 19 we considered its internal control structure in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and to provide reasonable but not absolute assurance on the internal control structure of _____, Inc.

The management of _____, Inc. is responsible for establishing and maintaining an internal control structure. In fulfilling this responsibility, estimates and judgments by management are required to assess the expected benefits and related costs of internal control structure are to provide management with reasonable, but not absolute, assurance that assets are safeguarded against loss from unauthorized use of disposition, and that transactions are executed in accordance with management's authorization and recorded properly to permit the preparation of financial statements in accordance with generally accepted accounting principles. Because of inherent limitations in any internal control structure, errors or irregularities may nevertheless occur and not be detected. Also, projection of any evaluation of the structure to future periods is subject to the risk that procedures may become inadequate because of changed in conditions of that the effectiveness of the design and operation of policies and procedures may deteriorate.

For the purpose of this report, we have classified the significant internal control structure policies and

procedures in the following categories:

Cycles of the Entities' Activity:

- Treasury or financing
- Revenue/receipts
- Purchases/disbursements
- External financial reporting

For all of the internal control structure categories listed above, we obtained an understanding of the design of relevant policies and procedures and whether they have been placed in operation, and we assessed control risk.

We noted no matters/the following reportable conditions appear below involving the internal control structures and its operation that we consider to be reportable conditions under standards established by the American Institute of Certified Public Accountants. Reportable conditions involve matters coming to our attention relating to significant deficiencies in the design or operation of the internal control structure that, in our judgment, could adversely affect the entity's ability to record, process, summarize, and report financial data consistent with the assertions of management in the financial statements.

A material weakness is a reportable condition in which the design or operation of the specific internal control structure elements does not reduce to a relatively low level the risk that errors or the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions.

Our consideration of the internal control structure would not necessarily disclose all matters in the internal control structure that might be reportable conditions that are also considered to be material weaknesses as defined above.

This report is intended for the information of the board of directors and management. This restriction is not intended to limit the distribution of this report, which is a matter of public record.

Very truly yours,

Certified Public Accountants

k:vvd\w:inconst

STATEMENT OF COMPLIANCE WITH FEDERAL FINANCIAL
ASSISTANCE PROGRAM REQUIREMENTS

October , 19

To the Officers and Directors
_____, Inc.

We have audited the _____, Inc. compliance with the requirements governing types of services allowed or unallowed; eligibility; reporting; claims for advances and reimbursements; and amounts claimed or used for matching that are applicable to each of its major federal financial assistance programs, which are identified in the accompanying schedule of financial assistance, for the year ended June 30, 19 . The management of _____, Inc. is responsible for the corporation's compliance with those requirements. Our responsibility is to express an opinion on compliance with those requirements based on our audit.

We conducted our audit in accordance with generally accepted auditing standards, Government Auditing Standards, issued by the Comptroller General of the United States, and OMB Circular A-128, "Audits of State and Local Governments."* Those standards and OMB Circular A-128 require that we plan and perform the audit to obtain reasonable assurance about whether material noncompliance with the requirements referred to above occurred. An audit includes examining on a test basis, evidence about the Corporation's compliance with those requirements. We believe that our audit provides a reasonable basis for our opinion.

The results of our audit procedures disclosed no instances of noncompliance with the requirements referred to above.

In our opinion, _____, Inc. complied, in all material respect, with the requirements governing types of services allowed or unallowed; eligibility; matching; reporting; claims for advances and reimbursements; and amounts claimed or used for matching that are applicable to each of its major federal financial assistance programs for the year ended June 30, 19 .

Very truly yours,

Certified Public Accountants

* or OMB Circular A-110 "Grants and Agreements with Institutions of Higher Education, Hospitals and other non-profit organizations: uniform administrative requirements."

COMPLIANCE SUMMARY

Prior Audit Reports:

Suggestions for improvements in internal accounting control made in prior management letters have all been implemented successfully.

Federal Financial Report:

We have reviewed the federal financial report during our compliance tests for the following program:

<u>Major Fed. Assistance Project</u>	<u>Period of Grant</u>	<u>Report Reviewed</u>
_____ Project	7/1/88-6/30/89	7/1/88-6/30/89
Victims of Crime Act	7/1/88-6/30/89	7/1/88-6/30/89
_____ Project	7/1/88-6/30/89	7/1/88-6/30/89
_____ Project	7/1/88-6/30/89	7/1/88-6/30/90

This report is prepared by recipient immediately after the reporting period ends and submitted within one month to the federal government. All reports contained the information required by attachments from Circular A-110. These reports contained information which was supported by the underlying books and records of the _____, Inc.

FEDERAL FINANCIAL ASSISTANCE PROGRAM
FINANCIAL AND INTERNAL CONTROL QUESTIONNAIRE*

- * Please note that this questionnaire is designed to obtain information from organizations of various size. While it is necessary to complete all items, it is recognized that the scope of responses may vary considerably.
- * Please feel free to add any attachments to clarify your responses.
- * The completion of this questionnaire is the responsibility of all new applicants, and periodically, of all Sub-grantees

A. General Information

1. Organization legal name: _____
2. Address of principle offices:

3. Name and position of person who is to serve as primary contact (e.g. single audit liaison):

4. Telephone number of primary contact:

5. Please identify the Department(s) or Program(s) which is/are responsible for carrying out the services funded by each source of Federal funds:

<u>Dept./Pro.</u>	<u>Location</u>	<u>Project Title of Federal Funds Received</u>	<u>Amt.</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

6. Please check below the level of revenues which the organization as a whole realized for its most recently completed fiscal year.

_____ \$0 - \$499,000 _____ \$500,000 - \$1,499,000

_____ \$1,500,000 - \$3,999,999 _____ ≥ \$4,000,000

B. Accounting System

<u>Item</u>	<u>Yes</u>	<u>No</u>
1. Are there written procedures prescribing the manner in which and by whom financial management, signature, accounting and bookkeeping duties are performed? (Please enclose a copy)	___	___
2. Is there a chart of accounts properly classified into asset, liability and fund related accounts?	___	___
3. Is there a general ledger?	___	___
4. Does your accounting system have accounts receivable/payables journals?	___	___
5. Does your accounting system have cash receipts/disbursements journals?	___	___
6. Does your accounting system have general/adjusting entries journals?	___	___
7. Does your accounting system have any subsidiary journals?	___	___
8. Does your accounting system have individualized client/vendor ledger journals?	___	___
9. Are all entries into the accounting system trailable to source documents (e.g. receipts, invoices, cancelled checks).	___	___
10a. Do you use a cash basis of accounting?	___	___
10b. Do you use the accrual basis of accounting?	___	___
10c. Do you use the obligation basis of accounting?	___	___

B. Accounting System (cont.)

<u>Item</u>	<u>Yes</u>	<u>No</u>
11. Is your basis of accounting consistent throughout the year.	—	—
12. Is each distinct service you provide established as a separate cost/profit center within your accounting system?	—	—
13a. Is your Accounting system automated in its entirety?	—	—
13b. Is your Accounting system partially automated?	—	—
14. Do your automated components interface with the General Ledger?	—	—
15. Are there records which substantiate federal match as declared in the program contract?	—	—

Please document any further comments and/or any clarifying statements relative to this section here.

C. Internal Controls

<u>Item</u>	<u>Yes</u>	<u>No</u>
1. Are there written internal control procedures?	___	___
2. If all or part of your accounting and/or management information is automated are there security measures documented?	___	___
3. Do the individuals who have access to the MIS have access to the AIS?	___	___
4. Are there procedures in place to assure Computerized Accounting Information is safeguarded?	___	___
5. Does any one person perform two or more of the following functions: prepare and balance journals? completes transaction approval documents? prepare checks for payment? sign checks for payment? make cash receipts deposits? posts the general ledger? reconciles cash position?	___	___
6. If one individual performs more than one duty above are there documented checks and balances on improper authorization.	___	___
7. Is an annual operating budget generated each year prior to the beginning of the fiscal year by the organization?	___	___
8. Are budgeted <u>vs.</u> actual performance (P&L) statements generated by the organization? How often are they provided to the Board of Directors?	___	___
9. Does management review financial and program reports and seek explanations for		

C. Internal Controls (cont.)

<u>Item</u>	<u>Yes</u>	<u>No</u>
9.(cont.) significant deviations from management expectations?	—	—
10. Is there an up-to-date organizational chart that adequately portrays individual responsibilities and reporting relationships?	—	—
11. Are there written job descriptions?	—	—
12. Are operating policies and procedures clearly stated and communicated throughout the organization?	—	—
13. Are all personnel in a position of trust adequately bonded in accordance with applicable legal requirements?	—	—
14. Does the organization have a policy covering the approval authority for financial transactions?	—	—
15. Are personnel policies documented and current?	—	—
16. Are all positions identified in the funding proposal occupied? Were any vacant during the previous funding year and for how long?	—	—
17. Is the purchasing function separate from the accounting and receiving function?	—	—
18. Is an open file maintained for outstanding purchase orders?	—	—
19. Does the organization have a receiving function whereby		

C. Internal Controls(cont.)

<u>Item</u>	<u>Yes</u>	<u>No</u>
19.(cont.)materials and equipment received are inspected and counted before use?	___	___
20. Are quantities and descriptions of supplies and equipment checked by the receiver against a copy of the purchase order or some other form of notification?	___	___
21. Are checking, savings, investment accounts reconciled? Please note below how often they are reconciled and by whom?	___	___
22. Are fixed assets inventoried by physical count, Please note below how often and by whom?	___	___

Please document any futher comments and/or any clarifying statements relative to this section here.

D. Financial Statements and Reporting

<u>Item</u>	<u>Yes</u>	<u>No</u>
1. How often during the fiscal year are Financial Statements (even if unaudited) generated and submitted to the Board of Directors?		
a. Monthly	—	—
b. Quarterly	—	—
c. Semi-annually	—	—
d. Annually only	—	—
2. Are annual Financial Statements prepared in accordance with generally accepted accounting principles by a C.P.A. "independent" (as described by U.S.G.A.O.) of the organization? Please submit a copy.	—	—
3. Has the organization filed its most recent Internal Revenue Service Form 990?	—	—
4. Has the organization filed its most recently due Mass. Attorney General Form P.C.?	—	—
5. Are all payroll tax deposits up to date?	—	—
6. Are there any outstanding deposits, fines, interests payments, penalties owed to the U.S. Treasury Department Internal Revenue Service, Commonwealth of Massachusetts Division of Employment Training, Department of Public Charities or Department of Revenue?	—	—
7. Are there currently any legal attachments on fixed assets of the corporation in lieu of non-payment of debt?	—	—

D. Financial Statements and Reporting (cont.)

<u>Item</u>	<u>Yes</u>	<u>No</u>
8. Has the organization ever been in a negative equity financial position at the end of its fiscal year? If so, please note below in what fiscal year(s) this occurred?	_____	_____
9. Has the organization ever declared bankruptcy or been in receivership?	_____	_____
10. Is the organization currently involved in any legal proceedings? Please explain below.	_____	_____
11. Has the organization ever been "Disbarred" by the Federal Government?	_____	_____
12. Does the organization have the cash flow to support its current and planned operations along with projected expenditures for 60 days?	_____	_____
13. Is there a current letter on file from the I.R.S. establishing 501(c)(3) status?	_____	_____

Please document any further comments and/or any clarifying statements relative to this section here.

E. Audits

<u>Item</u>	<u>Yes</u>	<u>No</u>
1. Are the Financial Statements of the organization audited annually on an organization wide basis by qualified individuals who are sufficiently independent from those who authorize expenditures? (Please enclose a copy)	___	___
2. Does the Financial Audit include the following:	___	___
a. Balance Sheet	___	___
b. Income Statement	___	___
c. Statement of Cash Flows/ Sources and Uses of funds	___	___
d. Statement of Changes in Fund Balance/financial position	___	___
e. Notes to Financial Statements	___	___
f. Supplemental Reports:		
i. Independent Auditors Report	___	___
ii. F & C Report	___	___
iii. Evaluation of Internal Control Structure	___	___
iv. Statement of Compliance with Federal Financial Assistance Program Requirements.	___	___
3. Have there been any Qualified Opinions due to material weaknesses in the internal control structure or to irregularities cited in any recent audits?	___	___

E. Audits (cont.)

3.(cont.) If yes please explain below how the agency has or plans to rectify the Qualification below.

4. Has the organization ever been cited by a government agency for audit oriented control deficiencies? If "yes" please document below which agency, and how were the deficiencies corrected? — —

Please document any further comments and/or any clarifying statements relative to this section here.

Name and title of individual(s) completing this form (please
print or type):

Signatures of those completing this form:

<hr/>	Date: <hr/>
<hr/>	Date: <hr/>
<hr/>	Date: <hr/>
<hr/>	Date: <hr/>

Appendix D

Expenditure Reimbursement Voucher Form



The Commonwealth of Massachusetts
Victim and Witness Assistance Board
Executive Office

30 Winter Street, 11th Floor
Boston, Massachusetts 02108

Karen A. McLaughlin
Executive Director

(617) 727-5200

**FY 91 FEDERAL VICTIMS OF CRIME ACT (VOCA) GRANT
EXPENDITURE REIMBURSEMENT VOUCHER**

FOR THE PERIOD OF _____ TO _____

BUDGET LINE ITEM	PREVIOUSLY REQUESTED	THIS REQUEST	TOTAL EXPENDITURE REQUESTS TO DATE	APPROVED BUDGET
Personnel/Fringe	\$ _____	\$ _____	\$ _____	\$ _____
Consultants	\$ _____	\$ _____	\$ _____	\$ _____
Office & Administration	\$ _____	\$ _____	\$ _____	\$ _____
Local Travel	\$ _____	\$ _____	\$ _____	\$ _____
Other (Specify):	\$ _____	\$ _____	\$ _____	\$ _____
TOTAL	\$ _____	\$ _____	\$ _____	\$ _____

Agency Name: _____

Prepared by: _____ Title: _____

Telephone Number: _____ Date: _____

Note: All Grant reimbursement vouchers are subject to final audit verification in accordance with grant terms and conditions. Please retain a copy of this for your records.

If this voucher reflects a line item change from your original approved budget, you must submit a notice of this change in writing to the Board within ten days. You may prefer to attach a notice of change to this voucher.

Voucher is a revision of a previously
submitted voucher

____ Yes ____ No

Hold: _____

Approved: _____
(initials)

(date)

Appendix E

Quarterly Statistical Performance Report
VOCA Client Data Worksheet
Helpful Hints...

**Massachusetts Victim and Witness Assistance Board
30 Winter Street, 11th Floor
Boston, MA 02108**

Office: (617) 727-5200
FAX: (617) 727-6552

Federal Victims of Crime Act (VOCA) Grant Program

Fiscal Year 1991 Statistical Performance Report

Reporting Period 3: January 1, 1991 - March 31, 1991

Report Due Date: April 30, 1991

Instructions: Please complete the following report related to services provided under the VOCA project. It is important that you carefully read the detailed directions and reporting guidelines which appear on the opposite page before completing each respective section.

Date: _____

Agency Name: _____

Project Title: _____

Contact person for this report: _____

Telephone: _____

VOCA QUARTERLY STATISTICAL PERFORMANCE REPORT

Instructions

All statistics must represent services provided by VOCA funded, match staff, and unpaid/volunteer victim service staff.

SECTION 1: TOTAL PRIMARY VICTIMS AND SIGNIFICANT OTHERS SERVED

Directions: In the appropriate categories indicate the total number of primary victims and significant others who received **DIRECT** services by the VOCA funded project during this quarter. Each client may be counted one time only in the categories indicated to come up with the total number served during the quarter.

Individuals who indirectly benefited from a service performed on behalf of a primary victim **may not** be counted on this statistical report. For example, VOCA funded staff may assist a woman in obtaining a protective order and she would be counted as a primary victim. Unless her children receive direct services from VOCA staff, they should not be counted as victims or significant others.

DEFINITIONS

A. NEW CLIENTS

1. **New Face-to-Face:** Includes any face-to-face client who is being seen by VOCA staff for the first time this quarter. Do not include new clients where the only method of contact was by telephone or Hotline.
2. **New Telephone:** Includes any new client who received services solely over the telephone for the first time this quarter. Do not include calls received through an agency hotline.
3. **New Hotline:** Includes any new client who received services solely through the agency telephone hotline in this quarter.

B. ON-GOING CLIENTS

4. **On-going Face-to-Face:** Includes any face-to-face client who received services during this quarter, as well as in a previous quarter. Do not include clients where the only method of contact was by telephone unless that client was a face-to-face client in a previous quarter.
5. **On-going Telephone:** Includes any client who received services solely over the telephone in this quarter and in a previous quarter. Do not include calls received through the agency hotline, or clients who were face-to-face clients in a previous quarter.
6. **On-going Hotline:** Includes any client that received services solely through the agency telephone hotline in this quarter and in a previous quarter.

Note: All clients are new clients in the first quarter

SECTION 1: TOTAL PRIMARY VICTIMS AND SIGNIFICANT OTHERS SERVED**A. NEW CLIENTS SERVED THIS QUARTER**

Type of client	Number of Primary Victims	Number of Significant Others
1. New FACE-TO-FACE Clients		
2. New TELEPHONE Clients (Not Hotline)		
3. New HOTLINE		
SUB -TOTAL A		

Note: All clients are new clients in the first quarter

B. ON-GOING CLIENTS SERVED THIS QUARTER

Type of client	Number of Primary Victims	Number of Significant Others
4. On-going FACE-TO-FACE Clients		
5. On-going TELEPHONE Clients (Not Hotline)		
6. On-going HOTLINE		
SUB-TOTAL B		

TOTAL CLIENTS SERVED (A + B)		
-------------------------------------	--	--

SECTION 2: SERVICES PROVIDED (All new and on-going clients)

Directions: In the appropriate category, indicate the number of times each service was provided to clients in the quarter, **not** the number of clients that received the service. A client may have received more than one type of service during the quarter. Be sure to consider every service provided to the client. For example, VOCA staff may have provided face-to-face counseling to a client, but during the course of that counseling, may have also provided information and referral, assistance with victim compensation benefits, and personal advocacy.

DEFINITIONS

1. **Telephone Counseling:** Any non-hotline services provided over the telephone including counseling, information and referrals, etc.
2. **Hotline:** Any services provided to a client over a telephone hotline.
3. **Face-to-Face Crisis Counseling:** Includes one-on-one crisis intervention, emotional support, guidance and counseling provided by counselors, advocates, mental health professionals or peers, when a client is experiencing a crisis.
4. **On-going Counseling/Follow-up Contact:** Includes any non-crisis counseling, emotional support, empathetic listening and guidance. Includes any follow-up contact made with the client in-person, over the telephone, or through the mail.
5. **Therapy (Face-to-Face):** Includes intensive treatment for individuals, couples and family members by licensed mental health professionals (licensed clinical social workers, psychologists, psychiatrists, etc.). This includes evaluation of mental health needs as well as the actual delivery of psychotherapy. Not to be confused with #'s 3 and 4.
6. **Group Treatment:** Includes any professionally led mental health support groups, self-help, peer, social support, drop-in groups and community crisis interventions in a group setting. **Report only the number of group sessions provided this reporting period, not the number of clients who attended the sessions.**
7. **Shelter/Safe Home:** Includes any short or long term housing provided to clients and their families by your agency only. Do not include referrals outside your agency for shelter. **Count the number of nights of housing received by each VOCA client during this reporting period.**
8. **Assistance With Victim Compensation Benefits:** Includes any information, assistance or advocacy provided for clients regarding the availability of victim compensation.
9. **Criminal Justice Support/Advocacy:** Includes support or advocacy provided to clients at any stage of the criminal justice process.
10. **Emergency Legal Advocacy:** Includes assisting a victim in filing or receiving temporary restraining orders, injunctions, protective orders and abuse petitions. This does **not** include advocacy provided during criminal justice proceedings (See #9).
11. **Medical Advocacy:** Includes advocacy performed on behalf of a client in a medical setting or when dealing with medical personnel, or a direct service such as a medical evaluation.
12. **Personal Advocacy:** Includes assisting clients in securing rights and services from other social service agencies, including public assistance, housing authorities, Social Security Administration, etc. Also includes intervention with employers, creditors and others on behalf of the victim.
13. **Emergency Financial Assistance:** Includes locating emergency loans and petty cash and assistance; e.g. filing for losses covered by public and private insurance programs, including worker's compensation, unemployment benefits, food stamps, Medicare, taxis, food, emergency shelter, clothing.
14. **Information and Referral:** Includes identifying to the client services and support available to them as victims of crime.
15. **Other:** Includes services provided to the client which do not fit into any of the above categories. In the space provided, please specify what services were provided to or received by the client.

SECTION 2: SERVICES PROVIDED (New and On-going Clients)

Type of Service Provided	Services to Primary Victims	Services to Significant Others
1. Telephone Counseling		
2. Hotline		
3. Face-to-Face Crisis Counseling		
4. On-going Counseling/Follow-up Contact		
5. Therapy (Face-to-Face)		
6. Group Treatment		
7. Shelter/Safe Home (provided by your agency only)		
8. Assistance with Victim Compensation Benefits		
9. Criminal Justice Support/Advocacy		
10. Emergency Legal Advocacy (including 24 hour 209A assistance)		
11. Medical Advocacy		
12. Personal Advocacy (housing, public assistance, etc.)		
13. Emergency Financial Assistance		
14. Information and Referral		
15. Other (specify)		
16. TOTAL		

Note to Community Crisis Response Providers: In addition to reporting services in the above noted categories, please provide detailed information on the additional crisis response report provided to you.

SECTION 3: REFERRALS MADE AND RECEIVED (all new and on-going clients)

Indicate on this page the number of referrals VOCA staff made to other programs/agencies and the number of referrals your program received from other agencies during this quarter. If clients were referred to more than one agency, count each referral made. This information should be provided for all clients, new and on-going.

DEFINITIONS

1. **Self/Family:** Includes any instances where the client has referred themselves or when they have been referred to the agency by a family member.
2. **Non-VOCA Staff Within Agency:** Referrals to or from staff within the agency who are not VOCA funded, match or project volunteers (intra-agency referrals).
3. **Police:** Referrals to or from a law enforcement organization. This could include local or state police, MDC police or the FBI.
4. **Victim Witness Assistance Program:** Referrals to or from victim assistance programs in any of the District Attorneys' offices throughout Massachusetts. Also includes referrals to and from the Victim Service Units of the Attorney General's Office, the Parole Board, and the U.S. Attorney's Office.
5. **Court Personnel:** Referrals to or from any court personnel including judges, clerks, probation officers, etc.
6. **Legal Services:** Referrals to or from any legal services including attorneys, law firms, legal aid and/or advocacy organizations, etc.
7. **Victim Compensation:** Referrals to or from the Attorney General's Victim Compensation and Assistance Division.
8. **VWAB/MOVA:** Referrals to or from the Victim and Witness Assistance Board or its Executive Office staff at the Massachusetts Office for Victim Assistance.
9. **Shelter/Safe Home:** Referrals to or from shelters or safe homes outside of your agency.
10. **Social Services:** Referrals to or from any social or human service agencies.
11. **Mental Health Agency/Facility:** Referrals to or from any outpatient, in-patient or residential mental health agency/facility.
12. **Other Victim Service Agencies:** Referrals to or from any agency or program that specializes in serving victims of crime, if not previously reported in #'s 10 or 11).
13. **Medical Services:** Referrals to or from any type of medical services including hospitals, clinics, physician's, etc.
14. **Substance Abuse Programs:** Referrals to or from any type of substance abuse programs or services, including in-patient, outpatient, Alcoholics Anonymous, Narcotics Anonymous, Alanon, etc.
15. **Schools:** Referrals to or from any school setting including pre-school through college/university.
16. **Religious Organizations:** Referrals to or from churches, synagogues, clergy, or any other organization with religious affiliation.
17. **Program Outreach/Media:** Referrals received specifically as a result of outreach done by the program. This may be the result of public service announcements, media advertising, presentations to community groups, etc.
18. **Brochure:** Referrals received as a result of brochures printed and distributed by program.
19. **Other:** Includes any referrals made or received that do not fit into any of the above categories. Please specify in space provided.
20. **Not Known:** Use only if you do not know how a client was referred to your agency/program.

SECTION 3: REFERRALS MADE AND RECEIVED (New and On-going Clients)

Source/Agency	Referrals Made To	Referrals Received From
1. Self/Family		
2. Non-VOCA Staff Within Agency		
3. Police		
4. Victim Witness Assistance Program		
5. Court Personnel		
6. Legal Services		
7. Victim Compensation		
8. VWAB/MOVA		
9. Shelter/Safe Home		
10. Social Services		
11. Mental Health Agency/Facility		
12. Other Victim Service Agencies		
13. Medical Services		
14. Substance Abuse Programs		
15. Schools		
16. Religious Organizations		
17. Program Outreach/Media		
18. Brochure		
19. Other (specify)		
20. Not Known		
21. TOTAL		

SECTION 4: CASE STATUS (new clients and status changes only)

A. REPORTING AND PROSECUTION

Directions: In this section, note only the case status for new clients this quarter, or the status of an on-going client if it has changed this quarter from that reported in a previous quarter..

DEFINITIONS

1. **Crime Not Reported to the Police/Courts:** Enter only if the crime(s) for which the victim is receiving services has not been reported to the police, courts or district attorney.
2. **Crime Reported to Police/Courts:** Enter only if the crime(s) for which the victim is receiving services has been reported to the police, courts or district attorney.
3. **Crime Prosecuted:** Enter only if the crime(s) for which the victim is receiving services has been, or is presently being, prosecuted. The case **does not** need to have been prosecuted successfully to be entered into this category.
4. **Not Known:** Enter only if the case status of the victim is not known.

B. ABUSE REPORTS FILED THIS REPORTING PERIOD

Directions: In this section, note any mandated abuse reports that VOCA project staff (paid, unpaid and match victim service staff) filed on behalf of clients this quarter, whether they are primary victims or significant others.

C. ABUSE PREVENTION ACT PETITIONS FILED THIS REPORTING PERIOD

In this section, note any Abuse Prevention Act petitions (209A's) that were filed by or on behalf of primary victims or significant others being served by VOCA project staff during this quarter. This may include petitions filed with or without the assistance of VOCA project staff. The petition may have been for a restraining order, vacate order, or any other civil remedy allowable under law.

SECTION 4: CASE STATUS (new clients or status changes only)**A. REPORTING AND PROSECUTION**

Status	Primary Victims	Significant Others
1. Crime NOT REPORTED to Police, Court, DA		
2. Crime REPORTED to Police, Court, DA		
3. Crime PROSECUTED		
4. Not Known		

B. ABUSE REPORTS FILED THIS REPORTING PERIOD

Type of Mandated Abuse Report	Primary Victims	Significant Others
1. Child Abuse/Neglect (MGL c.119 sec. 51A)		
2. Elder Abuse/Neglect (MGL c. 19A sec. 14-26)		
3. Disabled Persons Abuse/Neglect (MGL c. 19C)		

C. ABUSE PREVENTION ACT PETITIONS FILED THIS REPORTING PERIOD

Type of Petition	Primary Victims	Significant Others
1. Abuse Prevention Act Petitions Filed (MGL c. 209A)		

SECTION 5: TYPE OF CRIME (new clients or newly disclosed crimes only)

Directions: Please report the crime(s) committed against new clients or newly disclosed crimes for on-going clients. If the client is a victim of multiple crimes, please count each of the crimes they have disclosed to you if they are relevant to the victim services you are providing.

DEFINITIONS

1. **Homicide (Not Vehicular):** Refers to all types of homicide except vehicular. "Homicide Survivor" is defined as a family member, loved one or friend (primary victims) of a person who has been the victim of a homicide. It may also include individuals served that are affected by the homicide but do not meet the definition above; e.g., a student received services after another student who was not a friend was murdered (significant other).
2. **Motor Vehicular Homicide:** Refers to all cases of vehicular homicide. See definitions in #1 above with regard to primary victims and significant others.
3. **Assault:** Refers to all types of assault. Please exercise caution in counting a crime as assault if the crime is also counted as domestic violence, child physical or sexual abuse, elder abuse and abuse of disabled persons. There may be occasions when it is appropriate to include assault in those cases.
4. **Domestic Violence:** Refers to physical harm, an "attempt" to harm or cause fear of imminent serious physical harm, and the use of forces or threats to force or engage in sexual relations. Relationships that may involve domestic violence include spouses, ex-spouses, and relatives, regardless of whether they live together, and any unrelated household member with whom they currently live or formerly lived. Please exercise caution if the crime is also counted as elder abuse and abuse of disabled persons.
5. **Adult Sexual Assault:** Refers to instances of completed rape, attempted rape or forced sexual contact made against an adult individual. Acquaintance or date rape should be included in this category. Also includes incidences of non-physical assault such as sexual threats or verbal attacks.
6. **Adult Survivor of Incest or Child Sexual Assault:** Refers to sexual assault committed against an individual who is now 18 years or older and receiving services, but who was under age 18 at the time of this assault.
7. **Adult Survivor of Child Physical Abuse:** Refers to physical abuse committed against an individual (adult) when they were under the age of 18, but are now 18 years or older and receiving services.
8. **Child Sexual Assault:** Refers to incest or sexual assault (completed rape, attempted rape, forced sexual contact of a child under the age of 18 and who is under age 18 when receiving services).
9. **Child Physical Abuse:** Refers to physical or emotional abuse/neglect or other child victimization committed against a child under the age of 18.
10. **Abuse of Disabled Persons:** Refers to physical or emotional abuse/neglect inflicted by a family member or caretaker against an individual with disabilities.
11. **Elder Abuse (ages 60 - 64):** Refers to physical or emotional abuse/neglect inflicted by a family member or caretaker against an individual ages 60 through 64.
12. **Elder Abuse (age 65 +):** Refers to physical or emotional abuse/neglect inflicted by a family member or caretaker against an individual age 65 or older.
13. **Driving Under the Influence/Reckless Driving:** Refers to a crime which has been committed as a result of drunk or reckless driving. **This does not include cases of vehicular homicide.**
14. **Hate Motivated Crime:** Refers to crimes committed against individuals or groups on the basis of gender, race, religion, national origin or sexual orientation. This includes assault, sexual assault, threats and harassment, and may be reported in the category in addition to having been reported in an other category.
15. **Political Trauma:** Refers to crimes committed against individuals or groups on the basis of their political beliefs or actions. This may include physical violence, torture, assault and sexual assault.
16. **Other:** Refers to any crime(s) not listed above. Please specify the crime in the space provided.

SECTION 5: TYPE OF CRIME (new clients or newly disclosed crimes only)

Crime	Primary Victims		Significant Others	
	Female	Male	Female	Male
1. Homicide (not vehicular)				
2. Motor Vehicular Homicide				
3. Assault				
4. Domestic Violence				
5. Adult Sexual Assault				
6. Adult Survivor of Incest or Child Sexual Assault				
7. Adult Survivor of Child Physical Abuse				
8. Child Sexual Abuse				
9. Child Physical Abuse				
10. Abuse of Disabled Persons				
11. Elder Abuse (Ages 60 - 64)				
12. Elder Abuse (Ages 65 +)				
13. Driving Under the Influence (not vehicular homicide)				
14. Hate Motivated Crime				
15. Political Trauma				
16. Other (specify)				

17. TOTAL				

SECTION 6: CIVIL RIGHTS COMPLIANCE (new clients only)

A. AGE/GENDER

Directions: In this section please note the age and gender only for **new clients this quarter**. Please make every effort to gather this data especially in cases where the only contact with the victim is over the telephone. The Federal Government requires this information for monitoring civil rights compliance.

SECTION 6: CIVIL RIGHTS COMPLIANCE (new clients only) *

A. AGE/GENDER

Age (in years) and Gender	Primary Victims		Significant Others	
	Female	Male	Female	Male
0 - 5				
6 - 12				
13 - 17				
18 - 35				
36 - 59				
60 - 64				
65 - 74				
75 +				
Age Not Known (due to phone contact only)				
TOTAL				

* Civil Rights information is used for statistical purposes only, as required by the Federal Government.

SECTION 6: CIVIL RIGHTS COMPLIANCE (new clients only)

(Continued)

B. RACE/NATIONAL ORIGIN

Directions: In the appropriate category, note the race/national origin of **all new clients this quarter**. Please make every effort to obtain this information from all telephone clients. Ask the client their race/national origin the same way that you ask them their age. The information they provide will assist you in providing culturally sensitive services to the client.

Once again, this is information the Federal Government requires for monitoring civil rights compliance.

C. DISABILITY

Directions: In the appropriate category, note whether or not the client is physically or mentally disabled/impaired. **This information is required for new clients this quarter only, or for clients for whom a disability/impairment was not previously reported.** As with the Age/Gender and Race/National Origin categories, it is important that you make every effort to obtain this information from telephone clients. It is also important that disabilities that are not visible or readily apparent (e.g., epilepsy, hearing impairment, etc.) be counted. The information a client provides will assist you in providing appropriate services to them.

This information is required by the Federal Government for monitoring civil rights compliance.

SECTION 6: CIVIL RIGHTS COMPLIANCE (new clients only)**B. RACE/NATIONAL ORIGIN**

Race/National Origin	Primary Victims		Significant Others	
	Female	Male	Female	Male
Black				
White				
Hispanic, Latino				
Portuguese (Azores)				
Cape Verdean				
Asian/Pacific Islander				
Native American/Alaska Native				
Other (specify)				

Not Known (due to phone contact only)				
TOTAL				

C. DISABILITY

Physical or Mental Disability	Primary Victims		Significant Others	
	Female	Male	Female	Male
YES				
NO				
Not Known (due to phone contact only)				
TOTAL				

SECTION 7: MISCELLANEOUS

A. WAITING LIST

Directions: In the appropriate column, please note the number of people who were placed on a waiting list, for any period of time, during this quarter, regardless of whether or not they also received services during the quarter.

In the appropriate column, also note the average length of time that clients spent on the waiting list during this quarter.

B. THIRD PARTY BILLING

This section is to be completed only by programs that derive income for the VOCA program through third party billing.

Federal VOCA Guidelines mandate that no client receiving services be required to pay out-of-pocket expenses for VOCA funded services.

Directions: Please note the number of clients during the quarter for whom a third party was billed and the number of clients who received free care. If a client's insurance reached its limit during this quarter and they were then given free care, they may be counted once in each category.

C. CASE CONSULTATION

Many programs provide their expertise to other agencies or programs within their agencies to assist them in serving their clients. In the past, there has not been a specific place to report case consultation when the victim has not been served by the VOCA program.

Directions: In this section, it is requested that you provide the **number of times** you provided consultation on a victim-related case but did not **actually** provide direct services to the client. These cases **should not** be counted in any other sections of this report.

D. EMERGENCY FINANCIAL ASSISTANCE

Directions: Please list the amount of authorized VOCA funds paid toward emergency out-of-pocket expenses for clients this quarter.

SECTION 7: MISCELLANEOUS

A. WAITING LIST	Primary Victims		Significant Others	
	Female	Male	Female	Male
Number of people placed on a waiting list for services				
Average length of time (by weeks) on waiting list				

B. THIRD PARTY BILLING	Number of Clients
Clients for whom a third party was billed	
Clients receiving free care	

C. CASE CONSULTATION	Number of Consultations
Number of times your program provided consultation on victim-related cases but did not actually provide direct services to the client.	

D. EMERGENCY FINANCIAL ASSISTANCE	Total Amount
Amount of VOCA funds paid toward emergency out-of-pocket expenses (if authorized).	\$

SECTION 8: TRAINING

A. TRAINING RECEIVED

Directions: In this section, note the number of hours of training received by both VOCA paid, match and unpaid/volunteer victim service staff this quarter. Please specify the content of the training received. Use additional space if necessary.

B. TRAINING PRESENTED

Directions: In this section, please note in the appropriate category, the number of hours of training presented by both VOCA paid, match and unpaid/volunteer victim service staff. Please specify the content of the training provided in the column provided.

Possible training topics:

- Basic Victim Services
- Domestic Violence
- Child Victimization (e.g., Sexual and Physical Abuse)
- Homicide Survivors
- Sexual Assault
- Elder Abuse
- Hate Motivated Crimes

SECTION 8: TRAINING

A. TRAINING RECEIVED

Training Hours Received By:	Training Content	Hours
Paid Victim Service Staff		
Unpaid/Volunteer Victim Service Staff		

B. TRAINING PRESENTED

Training Presented To:	Training Content	Hours
1. District Attorney Victim Witness		
2. Criminal Justice		
3. Police/Law Enforcement		
4. Social Service		
5. Mental Health		
6. Medical		
7. Inter-disciplinary		
8. Citizen Group		
9. Schools		
10. Other (specify)		

SECTION 9: PROGRAM UPDATE

Directions: In the space provided, please check any/all statements relevant to your VOCA program during this past quarter.

Please send in resumes for all newly hired staff paid with VOCA funds.

Please submit all budget changes, whether or not they require prior approval from MOVA or the Board.

If MOVA has not been notified of any of the items checked off on this page, please provide a detailed description of each item on a separate page.

Thank you for your efforts in completing this report in a timely and accurate fashion. If you need assistance please call Vic DiGravio at (617) 727-5200.

Please return the completed report to:

Vic DiGravio
Massachusetts Office for Victim Assistance
30 Winter St., 11th Floor
Boston, MA 02108

SECTION 9: PROGRAM UPDATE

A. STAFFING (Includes resignations and hires or internal change in responsibilities)

	Direct Service Staff (VOCA funded) has changed; this includes changes in responsibilities or number of hours worked.
	Administrative support staff who have any VOCA related responsibilities (even if not funded by VOCA) have changed. This includes Chief Financial Officer/Business Manager, or the individual who compiles statistics for the agency; e.g., check off if the bookkeeper who previously completed the H-1 Reports is no longer the individual with these responsibilities.

B. PROGRAM

	Direct services were not provided or were provided at a reduced level due to changes in staffing or for other reasons.
	Direct services which had not been previously provided began.
	Support group(s) started or ended.

C. FISCAL

	Budget revisions have been made on the most recently approved budget; this includes both those revisions needing and not needing prior approval from MOVA/VWAB.
	Funding sources have changed; this may include the loss or addition of funding.
	Non-federal matching funds changed from most recently approved budget.

D. ADMINISTRATION

	Officers of the Board of Directors has changed.
	Executive Director or VOCA Program Director has resigned or been hired.
	Facility/location of the agency has changed.
	The agency's corporate name has changed.

VOCA Client Data Worksheet

Massachusetts Office for Victim Assistance

Instructions: Enter all information that is appropriate for each client — primary victims and significant others. Some information will only need to be filled out once, when the client has sought services for the first time or when there is a status change. These items are indicated with an asterisk (*) and most appear on the second page. The form can be used for each contact or it can be used to record services by quarter.

This worksheet is for an agency's internal use and should only be utilized to assist programs in compiling data necessary for the quarterly statistical performance report. The worksheets are **not** to be submitted to MOVA.

Please Note: The quarterly statistical performance report has all of the definitions for types of services provided, referrals made to and received by, crime, and mandated reports. Please refer to these definitions if you need guidance on what to check off.

Date ____/____/____

Client Status This Quarter

Client Name/ID # _____

Type of Client

Age * _____

____ Primary Victim
____ Significant Other

____ New Face-to-Face
____ New Telephone
____ New Hotline
____ Ongoing Face-to-Face
____ Ongoing Telephone
____ Ongoing Hotline

Third Party Billing

Waiting List

____ Client received free care
____ Third party billed for services

____ Client was on waiting list for ____ weeks
____ Client was not on waiting list for services

Services Provided This Contact
(number of times)

____ Telephone Counseling
____ Hotline
____ Face-to-Face Counseling
____ On-going Counseling/Follow-up
____ Therapy (Face-to-Face)
____ Group Treatment
____ Shelter/Safe Home
____ Assistance with Victim's Compensation
____ Criminal Justice Support/Advocacy
____ Emergency Legal Advocacy
____ Medical Advocacy
____ Personal Advocacy
____ Emergency Financial Assistance
____ Information & Referral
____ Other (specify):

Referrals Made To and Received on Behalf of Client

To

From

<input type="checkbox"/>	Self/Family	_____
_____	Non-VOCA Staff Within Agency	_____
_____	Police	_____
_____	Victim Witness Assistance Program	_____
_____	Court Personnel	_____
_____	Legal Services	_____
_____	Victim Compensation	_____
_____	VWAB/MOVA	_____
_____	Shelter/Safe Home	_____
_____	Social Services	_____
_____	Mental Health Agency/Facility	_____
_____	Other Victim Service Agencies	_____
_____	Medical Services	_____
_____	Substance Abuse Programs	_____
_____	Schools	_____
_____	Religious Organizations	_____
<input type="checkbox"/>	Program Outreach/Media	_____
<input type="checkbox"/>	Brochure	_____
_____	Other (Specify)	_____

☐ Not Known _____

VOCA Client Data Worksheet

Page 2

Type of Crime *

Count each crime committed that is relevant to services provided. (for all new clients and newly disclosed crimes for ongoing clients) *

- ☐ Homicide (not vehicular)
- ☐ Motor Vehicular Homicide
- ☐ Assault
- ☐ Domestic Violence
- ☐ Adult Sexual Assault
- ☐ Adult Survivor of Incest or Child Sexual Assault
- ☐ Adult Survivor of Child Physical Abuse
- ☐ Child Sexual Abuse
- ☐ Child Physical Abuse
- ☐ Abuse of Disabled Person
- ☐ Elder Abuse (Ages 60 - 64)
- ☐ Elder Abuse (Age 65 +)
- ☐ DUI
- ☐ Hate Motivated Crimes
- ☐ Political Trauma
- ☐ Other (Specify)

Case Status *

(for new clients or on-going clients whose status has changed) *

- ☐ Crime **not reported** to police, court, DA
- ☐ Crime **reported** to police, court, DA
- ☐ Crime **prosecuted**
- ☐ Not Known

Mandated Abuse Report (s) Filed on Behalf of Client (new reports only)

- ☐ Child Abuse/Neglect (MGL c.119 sec. 51A)
- ☐ Elder Abuse/Neglect (MGL c. 19A sec. 14-26)
- ☐ Disabled Persons Abuse/Neglect (MGL c.19C)

Abuse Prevention Act Petition Filed on Behalf of Client

- ☐ Petition filed for restraining order, vacate order or any other civil remedy allowable under law. (MGL c.209A)

Gender *

- ☐ Female
- ☐ Male

Disability *

- ☐ Yes
- ☐ No
- ☐ Unknown

Race/National Origin *

- | | |
|---|---|
| <input type="checkbox"/> Black | <input type="checkbox"/> White |
| <input type="checkbox"/> Hispanic/Latino | <input type="checkbox"/> Portuguese (Azores) |
| <input type="checkbox"/> Cape Verdean | <input type="checkbox"/> Asian/Pacific Islander |
| <input type="checkbox"/> Native American/ | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Alaska Native | <input type="checkbox"/> Not Known |

Notes:

Again, this worksheet is only to assist you in compiling statistics for your quarterly report. Do not submit the worksheet to MOVA.

(ke:vp\report)

Commonwealth of Massachusetts Federal Victims of Crime Act (VOCA) Grant Program

Helpful Hints for Completing the Quarterly Statistical Performance Report

- Document each victim served and the services provided on an ongoing basis. Avoid having to create this documentation at the end of the quarter.
- Document all services and referrals provided. We want to know all the services provided to clients. Clients may receive a number of services in one contact.
- Use caution when utilizing the “other” category. Make sure the “other” which you specify does not fit into any of the established categories.
- Be aware of what sections require information only for new clients or status changes.
- Check your addition. Use a calculator or adding machine if possible.
- Read instructions carefully.
- Call MOVA if you have any problems or questions.

Appendix F

Program Timetable Sample Formats and Timetables

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[illegible]

**FY 92 VOCA GRANT PROGRAM
PROGRAM TIMETABLE
JULY 1, 1991 - JUNE 30, 1992**

AGENCY NAME: _____

GOAL:

OBJECTIVE:

ACTIVITIES	PERSON(S) RESPONSIBLE	TARGET STARTING DATE	TARGET COMPLETION DATE	COMMENTS

WHEN

**FY 92 VOCA GRANT PROGRAM
PROGRAM TIMETABLE
JULY 1, 1991 - JUNE 30, 1992**

AGENCY NAME: EXAMPLE B - Battered Women's Service Group

GOAL: To provide legal advocacy services to battered women in the catchment area who might not otherwise access agency services
conceive assistance in court proceedings involving protective orders.

OBJECTIVE: Provide information and referral, assistance in filing protective orders, court accompaniment and counseling to
400 women in FY 92 by providing on-site (court) coverage by advocates for at least 2 hours every weekday to assist

HOW MANY → **WHAT SERVICES**
court "walk-ins."

↑ **HOW MUCH**

ACTIVITIES	PERSON(S) RESPONSIBLE	TARGET STARTING DATE	TARGET COMPLETION DATE	COMMENTS
1. Meet with court clerk to establish procedures for daily or regular on-site coverage at court by advocates	Program Director VOCA Legal Advocate	8/17/91	8/17/91	Procedures will be formalized in writing.
2. Establish schedule for court coverage by both paid and unpaid legal advocates.	Program Director VOCA Legal Advocate	8/18/91	8/31/91	
3. Provide coverage every weekday in the court and provide assistance to all women requesting services from agency staff, particularly with filing protective orders.	VOCA Legal Advocate Unpaid/Volunteer Advocates	9/4/91 -	6/30/92	
4. Evaluate services provided under this objective and make adjustments in service delivery as is necessary to assure that client needs are being met.	Program Director Executive Director	12/1/90 3/1/91 6/1/91	12/31/91 3/30/92 6/30/92	Obtain information from court personnel for evaluation.

↓ **WHAT SERVICES/ACTIVITIES**

WHO

WHEN

Program timetable =

FY91 VOCA GRANT PROGRAM
PROGRAM TIMETABLE, July 1, 1990 - June 30, 1991

GOAL: To provide safety, support and advocacy to battered women and their children.

OBJECTIVE: Coordinate use of safe-homes for women and children needing emergency shelter as needed.

ACTIVITY	PERSON(S) RESPONSIBLE	TARGET COMPLETN DATE	ACTUAL COMPLETN DATE
1. Contact safe-home provider when women need short-term shelter and coordinate sheltering arrangements	DS/Legal Adv.	ongoing	
2. Provide emergency shelter to women and children in crisis.	safe-home providers	same	
3. Maintain daily contact with safe-home providers during safe-home stay.	DS/Legal Adv.	same	
4. Evaluate safe-homes and coordination of the network.	Direct Service Team/all staff	6/91	

SAMPLE

COMMENTS: Emergency shelter is provided on an as-needed basis, and therefore is difficult to quantify. In addition, because many staff at Harbor Me help in placing families in safe-homes, it is difficult to predict exactly how many families will be served by the VOCA funded Direct Service/Legal Advocate. In general, Harbor Me safe-homes 1-2 families per month annually.

FY91 VOCA GRANT PROGRAM
PROGRAM TIMETABLE, July 1, 1990 - June 30, 1991

GOAL: Provide safety, support, and advocacy to battered women and their children and lessen their isolation.

OBJECTIVE: Continue day-time ongoing self-help bilingual (Spanish/English) support group for battered women and formerly battered women in the community, serving 2-6 women* per session for 49 weeks each year.

ACTIVITY	PERSON(S) RESPONSIBLE	TARGET COMPLETN DATE	ACTUAL COMPLETN DATE
1. Make referrals to support group.	paid and un-paid staff	ongoing	
2. Advertise support group in community and remind referral sources.	volunteer	12/90	
3. Facilitate weekly group meetings.	DS/Legal Adv.	ongoing	
4. Meet with women for individual intakes as needed (no more than two weekly).	DS/Legal Adv.	ongoing	
5. Do weekly follow-up with women attending the support group.	same	ongoing	
6. Work with Child Advocates to meet child care and child advocacy needs.	same	ongoing	
7. Organize annual outing for support group members.	same	6/91	
8. Organize formal AIDS education workshop for support group members.	same	12/90	
10. Evaluate operation and effectiveness of group.	DS/Legal Adv., Child Adv, and DS/Housing Adv.	12/90	

COMMENTS: Approximately 20 unduplicated women each year come to support group.

SAMPLE

**FY91 VOCA GRANT PROGRAM
PROGRAM TIMETABLE, July 1, 1990 - June 30, 1991**

GOAL: To provide safety, support and advocacy to battered women and their children.

OBJECTIVE: Strengthen list of legal referrals and resources for low income battered women and their children.

ACTIVITY	PERSON(S) RESPONSIBLE	TARGET COMPLETN DATE	ACTUAL COMPLETN DATE
1. Expand existing legal resource files.	Legal Adv. Intern	6/91	
2. Expand list of concerned community lawyers who are sensitive to the needs of battered women and can donate services or have sliding scale fees.	sane	6/91	

SAMPLE

COMMENTS:

FY91 VOCA GRANT PROGRAM
PROGRAM TIMETABLE, July 1, 1990 - June 30, 1991

GOAL: To provide safety, support and advocacy to battered women and their children.

OBJECTIVE: Provide crisis intervention to 120 battered women, helping women seeking emergency shelter to find shelter that best meets their needs.

ACTIVITY	PERSON(S) RESPONSIBLE	TARGET COMPLETN DATE	ACTUAL COMPLETN DATE
1. Provide crisis interven- tion to women who call the hotline or come into the of- fice as needed.	DS/Legal Adv. hotline vols. other vols.	ongoing	
2. Provide women needing shelter with available shelter options, and ad- vocate for them as needed.	same	ongoing	
3. Refer women to Harbor Me safe-home network as appropriate.	same	ongoing	
4. Maintain updated resource file of shelter options and availability.	DS/Legal Adv. volunteer DS Team	ongoing	

SAMPLE

COMMENTS:

FY91 VOCA GRANT PROGRAM
PROGRAM TIMETABLE, July 1, 1990 - June 30, 1991

GOAL: To provide safety, support, and advocacy to battered women and their children and to lessen their isolation.

OBJECTIVE: Continue to develop and implement strengthened follow-up* strategies.

ACTIVITY	PERSON(S) RESPONSIBLE	TARGET COMPLETN DATE	ACTUAL COMPLETN DATE
1. Assess support needs of women using our services.	DS/Legal Adv. and other staff	ongoing	
2. Develop strengthened follow-up strategies that better meet these needs.	DS/Legal Adv.	ongoing	
3. Provide appropriate, supportive follow-up to battered women, especially ongoing cases from the community.	same	ongoing	
4. Evaluate effectiveness of follow-up approaches through individual conversations with women we serve.	DS Team	ongoing, summarized in June	

SAMPLE

COMMENTS: Follow-up strategies currently include weekly calls to women in the support group or women with whom we are currently providing ongoing advocacy and support, occasional check-ins, and one to one meetings.

FY91 VOCA GRANT PROGRAM
PROGRAM TIMETABLE, July 1, 1990 - June 30, 1991

GOAL: To provide safety, support and advocacy to battered women and their children.

OBJECTIVE: Provide practical advocacy and information to 120 battered women.

ACTIVITY	PERSON(S) RESPONSIBLE	TARGET COMPLETN DATE	ACTUAL COMPLETN DATE
1. Provide information and practical advocacy to women over the phone and in person.	DS/Legal Adv. volunteers	ongoing	
2. Assist women in obtaining public financial assistance and Victims of Violent Crimes Compensation benefits.	same	same	
3. Accompany women to welfare office, SSI office, housing authority, etc. as needed.	same	same	
4. Keep up to date information and resource files on community resources and entitlement programs.	same	same	
5. Refer callers we can't serve to other community resources.	same	same	

SAMPLE

COMMENTS:

FY91 VOCA GRANT PROGRAM
PROGRAM TIMETABLE, July 1, 1990 - June 30, 1991

GOAL: To provide safety, support, and advocacy to battered women and their children.

OBJECTIVE: Coordinate ongoing legal advocacy trainings and inservices for volunteer and paid staff, and annual trainings for hotline workers.

ACTIVITY	PERSON(S) RESPONSIBLE	TARGET COMPLETN DATE	ACTUAL COMPLETN DATE
1. Assess legal advocacy training needs of volunteers and paid staff.	DS/Legal Adv.	8/90	
2. Coordinate at least one legal advocacy training in response to these needs.	DS/Legal Adv. Legal Adv Intern	12/90	
3. Facilitate at least one refresher training for hotline workers.	DS/Legal Adv.	6/91	
4. Update staff and volunteers about legal changes and legislative developments affecting battered women.	same	ongoing	
5. Evaluate effectiveness of trainings.	same	12/90, 6/91	

COMMENTS:

FY91 VOCA GRANT PROGRAM
PROGRAM TIMETABLE, July 1, 1990 - June 30, 1991

GOAL: To provide safety, support and advocacy to battered women and their children.

OBJECTIVE: Provide one on one support to battered women who call the hotline or come into the office, including face to face and/or hotline support to 170 battered women.

ACTIVITY	PERSON(S) RESPONSIBLE	TARGET COMPLETN DATE	ACTUAL COMPLETN DATE
1. Provide individual peer support (short and long term as needed) to battered women on the hotline.	DS/Legal Adv. hotline vols. other vols.	ongoing	
2. Provide face to face support to women who come into the office.	same	ongoing	
3. Do follow-up support with ongoing women.	same	ongoing	
4. Provide support and supervision to hotline workers as needed.	DS/Legal Adv.	ongoing	

SAMPLE

COMMENTS:

FY91 VOCA GRANT PROGRAM
PROGRAM TIMETABLE, July 1, 1990 - June 30, 1991

GOAL: To collaborate with the criminal justice system and other social service agencies to meet the needs of battered women and their children as comprehensively as possible.

OBJECTIVE: Provide legal advocacy for 75 women seeking court protection, including court accompaniment at the East Boston and Chelsea District Courts.

ACTIVITY	PERSON(S) RESPONSIBLE	TARGET COMPLETION DATE	ACTUAL COMPLETION DATE
1. Coordinate court accompaniment for women seeking legal protection in the East Boston and Chelsea District Courts.	DS/Legal Adv.	ongoing	
2. Provide court accompaniment as needed.	DS/Legal Adv. Volunteers Legal Adv. Intern	ongoing	
3. Provide legal advocacy over the phone or as needed.	same	ongoing	
4. Arrange for accompaniment of women seeking protection from other Boston area courts, as caseload and staffing considerations permit.	DS/Legal Adv. Legal Adv. Intern	ongoing	
5. Provide regular support and supervision to volunteer legal advocates.	DS/Legal Adv.	ongoing	
6. Evaluate effectiveness of supervision.	DS/Legal Adv.	6/91	

SAMPLE

COMMENTS:

FY91 VOCA GRANT PROGRAM
PROGRAM TIMETABLE, July 1, 1990 - June 30, 1991

GOAL: To maintain a multicultural focus that actively affirms and reflects the diversity of those living in the four city area... and to develop programs to make services accessible to groups of battered women whose needs are not being met.

OBJECTIVE: Strengthen Harbor Me's accessibility to Jewish battered women by sensitizing staff to the needs of Jewish battered women and by strengthening outreach to Jewish women in the community.

ACTIVITY	PERSON(S) RESPONSIBLE	TARGET COMPLETN DATE	ACTUAL COMPLETN DATE
1. Improve outreach with local and Boston area Jewish agencies through inservices and/or information exchange.	DS/Legal Adv. Outreach Coord.	ongoing	
2. Work with other staff to develop anti-semitism sensitivity training for staff and volunteers.	DS/Legal Adv.	10/90	
3. Consult with Bnai Brith Women to strengthen their understanding of how better to meet the needs of Jewish battered women.	DS/Legal Adv.	7/90 and ongoing	
4. Develop support network within Jewish community to ease isolation of Jewish women working at Harbor Me.	DS/Legal Adv.	ongoing	

SAMPLE

COMMENTS:

FY91 VOCA GRANT PROGRAM
PROGRAM TIMETABLE, July 1, 1990 - June 30, 1991

GOAL: To provide safety, support and advocacy to battered women and their children.

OBJECTIVE: Print and distribute bilingual (Spanish/English) brochure describing how women can obtain legal protection throughout the four city area and East Boston and Chelsea District Courts.

ACTIVITY	PERSON(S) RESPONSIBLE	TARGET COMPLETN DATE	ACTUAL COMPLETN DATE
1. Print 2,000 copies of brochure.	DS/Legal Adv.	8/90	
2. Distribute copies throughout four city area and via court personnel and police departments.	Legal Adv. Intern	10/90 and ongoing	

SAMPLE

COMMENTS:

FY91 VOCA GRANT PROGRAM
PROGRAM TIMETABLE, July 1, 1990 - June 30, 1991

GOAL: To provide safety, support and advocacy to battered women and their children.

OBJECTIVE: To strengthen collaboration with the Child Advocate so that the needs of the children of battered women are met.

ACTIVITY	PERSON(S) RESPONSIBLE	TARGET COMPLETN DATE	ACTUAL COMPLETN DATE
1. Provide women with information about how abuse affects children, how they can better support their children, and nonviolent discipline information.	DS/Legal Adv. volunteers	ongoing	
2. Address needs of children in support group intakes and follow-up.	DS/Legal Adv.	ongoing	
3. Refer mothers to Child Advocate for support around parenting issues and to arrange individualized support and/or advocacy for their children.	DS/Legal Adv. volunteers	ongoing	
4. Work with Child Advocate to ensure supportive child care during support group times, support group intakes and other times when women come in for face to face support or advocacy.	DS/Legal Adv.	ongoing	
5. Refer women to Parents Anonymous, Parental Stress Line, Reaching Out to Chelsea Adolescents and other supportive services as needed.	DS/Legal Adv. volunteers.	ongoing	

SAMPLE

COMMENTS:

FY91 VOCA GRANT PROGRAM
PROGRAM TIMETABLE, July 1, 1990 - June 30, 1991

GOAL: To collaborate with the criminal justice system and other social service agencies to meet the needs of battered women and their children as comprehensively as possible.

OBJECTIVE: To strengthen support for battered women with chemical addictions and/or women whose abusive partner is chemically dependent.

ACTIVITY	PERSON(S) RESPONSIBLE	TARGET COMPLETN DATE	ACTUAL COMPLETN DATE
1. Include alcohol/drug abuse assessment in safe-home screenings and support group intakes.	DS/Legal Adv.	ongoing	
2. Refer actively abusing women to detox centers, AA, NA, Women, Inc., etc.	DS/Legal Adv. volunteers	ongoing	
3. Compile more comprehensive resources for women with chemical addictions.	volunteer	ongoing	
4. Organize alcohol and drug abuse educational workshop for support group members.	DS/Legal Adv.	6/90	
5. Encourage women in support group to talk with each other about drugs and alcohol related issues and available resources.	same	ongoing	

SAMPLE

COMMENTS:

